



**VILLAGE COUNCIL REGULAR MEETING AGENDA
MEETING TO BE HELD VIA ZOOM TELECONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, AUGUST 22, 2023 2:00 P.M.**

- 1. CALL TO ORDER AND NOTICE OF MEETING**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. APPROVAL OF THE MINUTES OF THE JULY 25, 2023 VILLAGE COUNCIL REGULAR MEETING and the AUGUST 15, 2023 VILLAGE COUNCIL-TAOS COUNTY COMMISSION JOINT WORKSHOP**
- 5. CITIZEN'S FORUM** –for non-agenda items only. Limit to 5 minutes per person (please email awooldridge@vtsv.org to sign up)
- 6. COMMITTEE REPORTS**
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Firewise Community Board
 - D. Parks & Recreation Committee
 - E. Lodger's Tax Advisory Board
- 7. REGIONAL REPORTS**
- 8. MAYOR PRO TEM'S REPORT**
- 9. STAFF REPORTS**
 - A. Administrator Avila
 - B. Finance Director Griesedieck
 - C. Public Safety Director Vigil
 - D. Building Official Bowden
 - E. Planning Director Nicholson
 - F. Public Works Director Martinez
 - G. Clerk Wooldridge
- 10. OLD BUSINESS**
 - A. PUBLIC HEARING:** Consideration to Adopt **Ordinance No. 2024-30**, an Ordinance Amending section 7, subsection 6, 'Avalanche Design Requirements' of Ordinance No. 2022-30, as Amended; adopting Snow Avalanche Hazard Maps for the Village; adopting regulations for new land development and building reconstruction in designated avalanche hazard zones; prohibiting new construction that adversely affects avalanche safety on other properties in the Village
- 11. NEW BUSINESS**
 - A. Consideration to Approve Authorizing Mayor Pro Tem Wittman to Represent the Village in Mediation and to Negotiate and Enter into a Settlement on behalf of the Village with Ovivo USA LLC
(The Governing Body may go into Closed Session.)
 - B. Consideration to Approve **Resolution No. 2024-547**, the Village of Taos Ski Valley 2025-2029 Infrastructure Capital Improvements Plan (ICIP)
 - C. Consideration to Approve **Resolution 2024-548** Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the Water Trust Board and New Mexico Finance Authority
 - D. Consideration to Approve Development of an Agreement with the North Central Regional Transportation District, the Town of Taos, and Taos County for Shuttle Service during Ski Season
 - E. Consideration to Approve Developing a Memorandum of Agreement with the Enchanted Circle entities for Mutual Assistance of Water and Wastewater Operators, Equipment Operators, and Building Official services

F. Consideration to Approve Finalizing Draft Memorandum of Agreement for Creation of the Enchanted Circle Regional Fire Protection Association

12. MISCELLANEOUS

13. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

14. ADJOURNMENT

-- Providing infrastructure & services to a World Class Ski Resort Community --



**VILLAGE COUNCIL REGULAR MEETING DRAFT MINUTES
MEETING TO BE HELD VIA ZOOM TELECONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JULY 25, 2023 2:00 P.M.**

1. CALL TO ORDER AND NOTICE OF MEETING

The regular meeting of the Village of Taos Ski Valley Council was called to order by Mayor Pro Tem Wittman at 2:00 p.m. Notice of the meeting was properly posted.

2. ROLL CALL

Ann Wooldridge, Village Clerk, called the role and a quorum was present.

Governing Body Present:

Councilor Henry Caldwell

Councilor Brent Knox

Councilor Chris Stagg

Councilor Tom Wittman, Mayor Pro Tem

3. APPROVAL OF THE AGENDA

Citizens forum will be moved after the Mayor Pro Tem's Report to 8A

MOTION: To approve the agenda as written

MOTION: Councilor Stagg SECOND: Councilor Caldwell PASSED: 3-0

4. APPROVAL OF THE MINUTES OF THE JUNE 27, 2023 VILLAGE COUNCIL REGULAR MEETING and the JULY 7, 2023 VILLAGE COUNCIL RATES WORKSHOP

MOTION: To approve the minutes of the June 27, 2023 Village Council Regular Meeting and the July 7, 2023 Village Council Rates Workshop

MOTION: Councilor Stagg SECOND: Councilor Wittman PASSED: 4-0

5. CITIZEN'S FORUM –for non-agenda items only. Limit to 5 minutes per person (please email awooldridge@vtsv.org to sign up)

(MOVED TO 8A) after Mayor Pro Tem's Report:

Homeowner Matt Hayner discussed his concern with the tree thinning that Al Johnson is performing on his four properties near the Village Complex.

Dan Vaughn reported on Chamber activities occurring this summer, including working with TSVI on weekend activities including free yoga, free music, and free movies. Plans are coming together for a successful Up & Over weekend.

6. COMMITTEE REPORTS

A. Planning & Zoning Commission

Commission Chair Wittman reported that no meeting had taken place in July. The next meeting of the P&Z Commission will take place on August 7, 2023 at 1:00 pm via Zoom.

B. Public Safety Committee

Committee Chair DiLeo reported on the July 3, 2023 meetings. They have asked that purchase of an ambulance be moved up on the ICIP list. The Committee is concerned about the number of dogs running around not on leashes. This is an unsafe situation. The next meetings are planned for August 7, 2023 at 10:00 am.

- C. Firewise Community Board
- D. Parks & Recreation Committee

Committee Chair Kett reported that the disc golf course is set up and ready for use, at the top of lift #1. Flower baskets will not be purchased this summer as they require a lot of attention. The vault toilet at Hiker Parking is getting cleaned up, since it was, sadly, vandalized.

- E. Lodger's Tax Advisory Board: No Report

7. REGIONAL REPORTS: Administrator Avila reported that Taos County is requesting a joint meeting of the Taos County Commission and the Village Council on August 15, 2023. This would be a hybrid meeting. Administrator Avila said that he will be requesting information from both the Town of Taos and Taos County on their recent wage studies. If the Village Council decides to make some salary matrix adjustments, this would affect the Village's FY24 budget. The Landfill Board is looking at separating out green waste to reduce methane gas that is released from green waste.

8. MAYOR PRO TEM'S REPORT: Mayor Pro Tem Wittman reported on a water outage on Sunday July 16, 2023. Fortunately, a quick solution at the Green Tank was found which solved the problem. A meeting took place with the Village's contractor, KCSI, to discuss their results from analyzing aerial data showing some perpetually wet areas. These areas may show leaking pipes, or they just show areas with natural springs. Public Works crews will investigate these areas to see what can be found.

9. STAFF REPORTS

Staff reports were included in the Council packet and are posted on the Village website for this Council meeting.

- A. Administrator Avila
- B. Finance Director Griesedieck
- C. Public Safety Director Vigil
- D. Building Official Bowden
- E. Planning Director Nicholson
- F. Public Works Director Martinez
- G. Clerk Wooldridge

10. OLD BUSINESS: No reports

11. NEW BUSINESS

A. Consideration to Approve Resolution No. 2024-543 requesting a permanent Budget Adjustment to the FY2023 Budget (BAR) to Increase the Budget for Transfers out of the Water Fund (01) and Sewer Fund (02), while Increasing the Budget for Transfers into the USDA (63) for Pledged Funds to Debt Service

The budgeted amount for the transfers of the required monthly transfers from the Water and Wastewater Enterprise Funds to the debt service fund is deficient for the Fiscal Year due to the June 2022 payment being made in July 2022 and thus adding a 13th month to the total for this fiscal year. The June 2023 transfer did include this 13th payment in FY23 from Water & Sewer to USDA debt service, as required. The budget for this transfer needs to be adjusted to accommodate this 13th transfer, which was made in June 2023. The following budget increase is needed:

Water Fund (03) Transfer Out:	\$2,623
Sewer Fund (02) Transfer Out	\$10,486
USDA Debt Service (63)/Transfer In:	\$ 13,109

This is the final budget adjustment resolution needed to complete year end requirements for reporting to DFA

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MOTION: to Approve Resolution No. 2024-543 requesting a permanent Budget Adjustment to the FY2023 Budget (BAR) to Increase the Budget for Transfers out of the Water Fund (01) and Sewer Fund (02), while Increasing the Budget for Transfers into the USDA (63) for Pledged Funds to Debt Service

MOTION: Councilor Stagg **SECOND:** Councilor Caldwell **PASSED:** 4-0

B. Consideration to Approve Resolution No. 2024-544, Approving the Fourth Quarter Fiscal Year 2023 Financial Report for the Year Ending June 30, 2023

At fiscal year end, the DFA requires that the 4th quarter report be submitted with a resolution approved by the Council acknowledging the financial status of the Village as of June 30. The report will be submitted on a timely basis by July 31, 2023, to the Department of Finance as required. Attached are the following required exhibits: (A) DFA Summary as of June 30, 2023, and (B) Profit and Loss from July 1, 2022 – June 30, 2023.

MOTION: To Approve Resolution No. 2024-544, Approving the Fourth Quarter Fiscal Year 2023 Financial Report for the Year Ending June 30, 2023

MOTION: Councilor Stagg **SECOND:** Councilor Caldwell **PASSED:** 4-0

C. Consideration to Approve Resolution No. 2024-545 A Resolution Approving Water, Sewer, and Trash Rates for Fiscal Year 2024

Much discussion took place.

MOTION: To Approve Resolution No. 2024-545 A Resolution Approving Water, Sewer, and Trash Rates for Fiscal Year 2024 with a .5300 per gallon charge on usage (a 9% increase) and a 66.00 per EQR charge on the fixed rate (a 7 % increase.)

MOTION: Councilor Stagg **SECOND:** Councilor Wittman **FAILED:** 2-2 **VOTING NAY:** Councilor Caldwell, and Councilor Knox

MOTION: To Approve Resolution No. 2024-545 A Resolution Approving Water, Sewer, and Trash Rates for Fiscal Year 2024 with a 32% increase, and reducing them when appropriate

MOTION: Councilor Caldwell **SECOND:** No Second **FAILED:** No Second

MOTION: To Approve Resolution No. 2024-545 A Resolution Approving Water, Sewer, and Trash Rates for Fiscal Year 2024 with a 15% increase rate per gallon, to \$.056 per gallon usage and \$70.66 per EQR fixed charge.

MOTION: Councilor Knox **SECOND:** Councilor Stagg **PASSED:** 3-1 **OPPOSED:** Councilor Caldwell

Suggestions made included making a comprehensive plan for repairing the water system leaks and also installing new meters where needed.

D. Consideration to Approve Resolution No. 2024-546, a Resolution requesting Approval of the Fiscal Year 2024 Final Budget

The revenue estimates presented are based on the local construction pace for the next year and revenue experience from the last fiscal year, which propels the Gross Receipts Tax revenues, along with projected property tax collections. The expense budget is for basic operations along with allocations for Non-General Fund projects. This budget is virtually unchanged from the approved interim budget submitted to the DFA on May 31, 2023. The estimated beginning balances are adjusted to actual for the final budget submission. A budget adjustment can be made next month, if desired, to reflect

MOTION: To Approve Resolution No. 2024-546, a Resolution requesting Approval of the Fiscal Year 2024 Final Budget

MOTION: Councilor Stagg **SECOND:** Councilor Caldwell **PASSED:** 4-0

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E. Consideration to Approve **Resolution No. 2023-541** Amending the Enchanted Circle Council of Governments Joint Powers Agreement

MOTION: To Approve **Resolution No. 2023-541** Amending the Enchanted Circle Council of Governments Joint Powers Agreement to add Taos Pueblo as one of the JPA member entities

MOTION: Councilor Caldwell **SECOND:** Councilor Stagg **PASSED:** 4-0

F. Consideration to Approve the Renewal of Village Annual Outside Contractor Contracts

The list shows those contractors being renewed for the next fiscal year, as required. Other contracts may be brought to the Council for approval as they come up.

MOTION: To Approve the Renewal of Village Annual Outside Contractor Contracts

MOTION: Councilor Stagg **SECOND:** Councilor Knox **PASSED:** 4-0

G. Consideration to Approve the Appointment of a Planning & Zoning Commissioner Emeritus

MOTION: To Approve the Appointment of Chris Stagg as Planning & Zoning Commissioner Emeritus

MOTION: Councilor Knox **SECOND:** Councilor Wittman **PASSED:** 2-1 **VOTING NAY:** Councilor Caldwell **ABSTAINING:** Councilor Stagg

12. MISCELLANEOUS:

A, Joan Woodard is the newest member of the Parks and Recreation Committee.

13. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

The next meeting of the Village Council will be the regular meeting on Tuesday August 22, 2023 at 2:00 p.m. via zoom.

14. ADJOURNMENT

MOTION: To Adjourn the meeting

The meeting was adjourned at 3:59 p.m.

MOTION: Councilor **SECOND:** Councilor **PASSED:** 4-0

ATTEST: _____

Mayor Pro Tem Tom Wittman

Village Clerk, Ann Marie Wooldridge

-- Providing infrastructure & services to a World Class Ski Resort Community --



**VILLAGE COUNCIL WORKSHOP
HELD IN CONJUNCTION WITH TAOS COUNTY
COMMISSION
DRAFT MINUTES**

**MEETING TO BE HELD VIA ZOOM TELECONFERENCE
And in Person for Councilors and Commissioners
At 38 Ocean Boulevard**

**View Zoom information on www.vtsv.org
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, AUGUST 15, 2023 2:00 P.M.**

I. 2:00 PM CALL TO ORDER AND INTRODUCTION:

The Village Council Meeting workshop was called to order by Mayor Pro Tem Tom Wittman at 2:00 p.m. Notice of the meeting was properly posted.

II. ROLL CALL:

Ann Wooldridge, Village Clerk, called the role and a quorum was present.

Governing Body Present:

Councilor Henry Caldwell

Councilor Brent Knox

Councilor Tom Wittman, Mayor Pro Tem

Not Present:

Councilor Chris Stagg

III. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as written

MOTION: Councilor Knox **SECOND:** Councilor Caldwell **PASSED: 3-0**

IV. WORKSHOP

A. Village of Taos Ski Valley Items

Discussion took place between the Village Council members and Taos County Commissioners concerning methods of working together to address common issues, building a process for meeting together on a regular basis, and improving communication and professional relationships.

Areas of interest appear to focus generally on Village water and wastewater operations, law enforcement and public safety operations, and the possible sharing of resources for things such as building inspections and emergency equipment and labor.

V. 3:00 PM ADJOURNMENT

MOTION: To Adjourn

MOTION: Councilor Knox **SECOND:** Councilor Caldwell **PASSED: 3-0**

VI. 3:00 PM-5:00 PM TOUR OF VILLAGE WASTEWATER TREATMENT PLANT AND WATER FACILITIES



*** Ongoing & Past Projects ***

WWTP

It may require independent correction of remaining Ovivo Train#1 before the season starts. (Recent approximation of \$700,000 for Train #1, Materials overall items needed to complete a single train, Mixers, UV Units, Membrane modules, and pipe valve and fittings. \$525K, Direct Labor \$140K and Equipment and transportation \$35K).

Currently Integrated Water Systems is at risk for the improvements to half the plant (Train#2) and has asked the Village to help with costs for completing the other half of the correction in 2023. The Village has been working with the contractors to pursue the funds needed to make further corrections and we have an agreement to prosecute to correct if Ovivo fails to correct (Claim filed in March of 2019). Some funds for system upgrades are collected when Development Impact Fees are paid in the permitting process.

Required mediation at months end, to have Ovivo make corrections to the Wastewater Treatment Plant, have court proceeding on hold. The Council, or an authorized member of Council will need to be present on the day. A review of the entire plant by our subject matter expert proceeded the action and continues investigation of the membrane systems for further evidence in the case. The Integrated Water Systems company had made corrections to train#2 for safe operation in the 22/23 season. Those corrections using a different membrane than provided by Ovivo functioned correctly for the end of year demand and received continued evaluation through the Spring Season. Ovivo had been on site to examine the upgrades in comparison to Ovivo product which is required to process the peak period flow of 0.44 million gallons hydraulically and biologically per day ("MGD") for fifteen days, twice per year and meet the effluent concentrations specified by VTSV. IWS continues monitoring and addressing system operations issues, most recently adding a clean water wash system for the membranes.

Water

The repair projects continue on plan/ (DEC, GGI): Bring the Kachina water tank on-line and connect it to the system. (Design to RFP for turnkey pumphouse install, Tank valve replacement)

- Repair and replacement of the altitude valve in the Green Tank to control critical flows.
- Isolate locations and extent of water losses with Master Meters and replacement and remote read is underway with assistance from TSVI. (Project is underway with most meters and remote read installed)
- Replace leaking waterlines where maximum water loss is determined including (Upper Twinning, Blue Jay Ridge, Cliffhanger, Phoenix, Zaps Road and from the master metering program). And an emergency GIS tool for mapping was required. As- Built are utilized by our Intern who is also building Asset Management Plans. Satellite data history studied for probable leaks is also being investigated on the ground.

- Hydrant replacement/installation in areas where 4-inch water mains are utilized for fire protection to determine if these lines are adequate to provide fire protection, and replace lines (Phoenix Switch Back)
- Replace all galvanized water lines in the system with adequately sized ductile iron water lines. (Upper Twinning and Old services)
- Begin a meter replacement program to ensure that all customer meters are scheduled to be replaced (evaluating remote read network technology with RFP for pilot program).

The replacement of a water line on Upper Twinning is the first of problematic lines previously identified and a loop to control freezing follows this year. The Kachina 500' loop, near Hiker Parking is also a small project to improve pressure. The Cliffhanger line is completed with line tested and in service. Public Works crews are using a new piece of construction equipment (excavator) for emergency and repair projects including hydrant and valve installation. Capital outlay of \$200K is included for initial plans and hydrant installation, to be ready for construction. An additional \$1.7m in capital outlay is awarded to the Village for the priority request item (agreement pending), Waterline replacement. \$5M for Taos County Projects from Apportionment Contingency Fund Appropriation of which \$750,000 grant funding has been utilized for some Village Water line repair. Additional funding is being pursued through the Water Trust Board application, an item on the agenda.

The Village has recently amended our water billing credit policy to encourage the installation of remote read meters. And the Village went through the process of installing the online meters to demonstrate to the public the steps to take and issues that might arise with the installation:

Village Complex

Damage Repair is underway. Permits were obtained for repair of the damaged units and an agreement for better access to the property through an adjacent easement as the safer/faster route is completed. Recent receipt of the insurance claim payment allows preconstruction Notice to Proceed. The damage from the declared snow gale to units Nine, Ten and One is assessed, after the insurance adjuster and the engineer visited the site. The Village has procured repair of units Nine, Ten and One and the insurance company had made partial payment with final payment due after work is completed. The NMML Self Insurers Fund (SIF) review of contractor estimates are completed, and the NMLSIF has approved starting repair of the units. The preconstruction meeting in March had additional delay for CID and gaining easement access to the site.

The interest among employees in housing at the Village Complex has doubled, but the operation is an enterprise fund and must produce enough revenue to cover expenses or be part of compensation. 100% occupancy of available units is possible once repairs are completed. Before the complex became available the Police Department was assigned to an unheated construction trailer for 20 years. The use of the units as office space and EMS bunking rather than as apartment housing has reduced the average cost per unit of sewage pumping and utilities budget while under development. Because as apartments, 10 units alone will require over 2,000 Ft Sq for parking, the site would not be likely to accommodate a Village Hall in Amizette. Currently making use of the property as the Building Inspector, Public Safety Housing EMS/Fire, Police and Fire Administration Offices. The estimated cost to replace the benefits of office use is over \$200,000 a year.

Kit Carson Electric (KCEC) Facility Undergrounding

According to KCEC, clearing vegetation within 100 feet of all powerlines is the most economic method of guarding against starting fires, but the Village has dedicated franchise fee funding to get the KCEC facilities underground. The delay for KCEC getting NMDOT/USFS permits public ROW easement

continues with no immediate success anticipated. The Village Public Safety Committee has the agreement for private easement of most the required owners along South NM150. The Village cannot mandate easement on private property for KCEC facilities and the KCEC now requires a boundary survey. The survey company has been occupied throughout the Village and has not given a cost estimate for the Village to include in the project.

Replacing Kit Carson Electric overhead electrical lines with underground facilities in the Village and especially Amizette has been a priority concern for fire safety for many years. Since 2015 the Village has dedicated what electric franchise funding it has toward paying for the KCEC underground facilities in the public ROW. Since 2019 the Village has worked with KCEC to place the lines underground in the Amizette area. Projects alongside residential roads and easements on the North side of NM150 have had the installation, however the continued efforts of KCEC to get permission to place lines in the NMDOT/USFS ROW have not progressed and the Village along with neighbors and Public Safety/Fire Wise Committee have pursued an option to get private easement on properties abutting the south side of NM150 to install electric lines underground. Most property owners have joined the effort to convert services from overhead to underground.

The use of public funds to install critical public safety infrastructure is allowed in the private easements as a valuable benefit to the Village without Anti donation violation.

While waiting for permits from NMDOT/USFS the Village has also continued to install underground facilities on residential roads that are not restricted by state and federal permissions. Zaps, Emma, Gusdorf, EG Alley, Porcupine, Phoenix, Coyote, Chipmunk were (KCEC identified) priority projects that were able to get underground electric service installed. During COVID emergency, material and equipment delays, staffing shortage and price increases further affected the ability to complete projects, but the main setback is getting easements on NM150.

Reminder: Once the underground service is available near a property, the steps to connecting underground are:

The Owner to engage a contract electrician for work on their property,

Then together contact Kit Carson Electrical Cooperative with the meter number and request a *service upgrade to an underground service*, **KCEC** and the electrician will contact the Village for underground permitting and start credit request for public Right of Way work,

Proceed with underground work and connect to the underground service,

TIDD

The Tax Increment Development District is the mechanism that certain economic development investments by the designated developer (TSVI) Taos Ski Valley Inc. are to be funded by tax revenues from the (VTSV) Village, County and the State. The tax is charged in most areas of the Village for project funding and correction for the misdirected payments is now addressed and paid on a yearly basis. TIDD is a separate political subdivision of the State, and the Board has fiduciary responsibility for oversight of those taxpayer dollars that pay the Tax Increment Bonds.

The planning documents, Village Water Study, the first amendment Water Line Repair Plan and second amendment for Master Meters and remote read installation and the third amendment Phoenix-Coyote water line replacement design are expected as TIDD eligible projects. TIDD eligible projects are intended to be dedicated after they are completed. As facility projects were accepted for dedication by the Village, the record is forwarded to the TIDD Board for future review and approval for reimbursement of the TSVI developer. TSVI has entered into an MOU with the Village to conduct water study and engineering and is progressing with equipment purchase and installation project of Master Meters.

The Thunderbird- Ernie Blake Road improvements are the next anticipated TIDD project to be reviewed for dedication when all documentation is officially submitted to the VTSV by TSVI. Staff of the Village and also of the TIDD have had some documents to review in preparation of the dedication submittal.

The Entry Road is a pending TIDD project that includes handicap parking and underground electric. The Entry Road development by Taos Ski Valley Inc. has been presented to the Village at the Council Workshop. Questions and comments are provided to TSVI for their application to US Forest Service permit. The Village gave support to the USFS Master Development Plan submission by resolution. USFS has indicated that the project has been approved. KCEC undergrounding as part of the project will allow removal of overhead lines in parking and the first 400 feet of Twinning Road.

The Village has received initial draft documents and invoices for the Staff to review prior to the TIDD dedication package for Thunder the Bird/Ernie Blake project. The TIDD Co- Treasurers are reviewing the invoices for the work on the project, more information may be available at the TIDD Board meeting.

Items

The Village continued service agreement with Waste Management of New Mexico includes an annual (CPI) Consumer Price Index automatically charged to the Village. We can continue with the service this year or keep the service while the Village completes another procurement. **Attached**

Regional reports:

Enchanted Circle Council of Governments (ECOOG) We have an item on the Council Agenda to meet NM Department of Finance Administration (DFA) requirements for approval of adding new members to the Joint Power Agreement (JPA). The next ECCoG meeting is scheduled for Thursday, September 21, 2023, at 2:00 p.m.

Taos Regional Landfill Board (LFB) Virtual Meeting Thursday, August 17, 2023: With out a quorum the meeting was just discussion of the agenda without actions taken. Discussed an engineering contract previously approved with Attorney and Finance review, including costs to create new Solid Waste Cells. Discussed reports on Methane production and a goal to reduce those: A Cell is a hole lined to avoid ground water contamination and filled with layers of trash covered with dirt. Green Waste is organic matter, usually household vegetation that is art of the Solid Waste Stream. Depending on the humidity, it takes less than a year for green waste in a Cell to begin creating Methane Gas. The (LFB) has been asked to set a goal to reduce Methane Gas in the landfill although those amounts may be relatively too small to be reused in an industrial process. It is reported that:

- **“Landfill gas (LFG) is a natural byproduct of the decomposition of organic material in landfills. LFG is composed of roughly 50 percent methane (the primary component of natural gas), 50 percent carbon dioxide (CO₂) and a small amount of non-methane organic compounds. Methane is a potent greenhouse gas at least 28 times more effective than CO₂ at trapping heat in the atmosphere over a 100-year period, per the latest” Intergovernmental Panel on Climate Change (IPCC) assessment report (AR5).**
- **“Municipal solid waste (MSW) landfills are the third-largest source of human-related methane emissions in the United States, accounting for approximately 14.3 percent of these emissions in 2021. The methane emissions from MSW landfills in 2021 were approximately equivalent to the greenhouse gas (GHG) emissions from nearly 23.1 million gasoline-**

powered passenger vehicles driven for one year or the CO₂ emissions from nearly 13.1 million homes' energy use for one year”

- “Due to its structure, methane traps more heat in the atmosphere per molecule than carbon dioxide (CO₂), making it 80 times more harmful than CO₂ for 20 years after it is released. Cutting methane emissions by 45 per cent by 2030 could help us meet the Paris Agreement's goal of limiting global warming to 1.5°C.” And “Methane has more than 80 times the warming power of carbon dioxide over the first 20 years after it reaches the atmosphere. Even though CO₂ has a longer-lasting effect, methane sets the pace for warming in the near term. At least 25% of today's global warming is driven by methane from human actions.”
- Bin audits have shown 40-60% of waste currently sent to landfills is organic waste and composting is a great way to recycle the organic waste we generate at home. Electric Composters dehydrate the material as well and KCEC is 100% daytime solar.

Budget review shows that there has been a decrease in landfill cell useful life, from 10 years to 7 years. At \$1,500,000/Cell, this equates to about \$500,000 expense to take the increased volume of solid waste or (\$50k/year).

Since at least 33% of the waste stream is organic waste (but it could be higher with wood and sewer sludge added) an option to lower green waste stream is being sought by the purchase of a fire box for \$210,000. Now the air quality measurement is a tradeoff between Methane and Carbon.

Some of the issues that hinder a green waste recycling program in the Village is that most of our solid waste customers are visitors, a central location for green waste is not very accessible, requires staffing, learning the process is not automatic.

Salary Schedule, Taos County and the Town of Taos have completed a wage study to identify market levels of pay for each position. The Information from the study has been requested and we hope to have a proposed pay and grade matrix for the next regular Council Meeting. The Village conducted a study a few years back but did not implement a matrix. A prorated version of the Village study was prepared last year but not implemented and this year the Village waited for the completion of our neighbor entities to utilize their information in a final recommendation to Council. Beyond the market changes, compensation for needed certifications should also be included in the estimated budget. Our departments did not include these in the initial budget and those would be expected to be in the mix when the recommended matrix is completed. An additional budget of \$50K-100K may be needed in the budget to implement the matrix, so due diligence with budget expenditures is required.

Taos County Joint Work Study, Hybrid Zoom meeting for August 15, 2023, from 2-3pm with a tour of the Wastewater and Water Facilities was conducted in the Public Works Building. The Commissioners had a Work Study with the Village of Taos Ski Valley Council on site in the Ski Valley. With our limited facilities it needed a hybrid-ZOOM meeting so that the Public could attend remotely and still allow the County Commissioners an opportunity to see the work that is being done in the Village. A Draft Q&A is being prepared for shared distribution.

ECMC

The Enchanted Circle Marketing Cooperative Agenda is attached. The Village has representation from the VTSV Chamber of Commerce at each meeting as they are Board members.



Waste Management of New Mexico
402 Industrial Park Loop, NE
Rio Rancho, New Mexico 87124
T: 505.891.6978
C: 505.382.3274

July 27, 2023

John Avila, Administrator
Village of Taos Ski Valley
PO Box 100
Taos Ski Valley, NM 87525

Re: 2023 Annual Rate Adjustment Review

Dear John,

It has been a pleasure serving you and the citizens of Taos Ski Valley during the past year. We will continue to focus on providing a high quality of service in as cost effective a manner as possible.

Pursuant to Exhibit C, subsection f. we will be implementing a 7.2% Consumer Price Index (CPI) increase effective August 1, 2023. Attached is documentation from the United States Department of Labor, Bureau of Labor Statistics reflecting the CPI, and have also attached an updated Exhibit C.

I apologize for not getting this out to you sooner.

If you have any questions, please feel free to call me at 505-382-3274.

Sincerely,

Dan Darnell
New Mexico Public Sector Manager
Waste Management of New Mexico

For Taos Ski Valley

CPI for All Urban Consumers (CPI-U)

Original Data Value

Series Id: CUUR0000SA0,CUUS0000SA0
Not Seasonally Adjusted
Series Title: All items in U.S. city average, all urban consumers, not seasonally adjusted
Area: U.S. city average
Item: All items
Base Period: 1982-84=100
Years: 2013 to 2023

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.877
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.852
2015	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.805
2016	236.916	237.111	238.132	239.261	240.229	241.018	240.628	240.849	241.428	241.018
2017	242.839	243.603	243.801	244.524	244.733	244.955	244.786	245.519	246.819	246.819
2018	247.867	248.991	249.554	250.546	251.588	251.989	252.006	252.146	252.439	252.439
2019	251.712	252.776	254.202	255.548	256.092	256.143	256.571	256.558	256.759	257.000
2020	257.971	258.678	258.115	256.389	256.394	257.797	259.101	259.918	260.280	260.280
2021	261.582	263.014	264.877	267.054	269.195	271.696	273.003	273.567	274.310	276.000
2022	281.148	283.716	287.504	289.109	292.296	296.311	296.276	296.171	296.808	298.000
2023	299.170	300.840	301.836	303.363						

May - 2022 through April - 2023 Total	3575.591
May - 2021 through April - 2022 Total	3336.587
Change in 12-Month CPI Measure	239.004
Percent Change in 12-Month CPI	7.2%

EXHIBIT "C"

COST FOR SERVICES EFFECTIVE AUGUST 1, 2023

The cost per haul shall include the total costs of providing the collection services for the collection station. This cost includes all operational, equipment transportation, and personnel costs.

VTSV Collection System. The VTSV serves an estimated population of 60 permanent residents and a large tourist population. The estimated solid waste volume from the VTSV is 10,425 loose cubic yards per year. Because of a problem with bears being attracted to dumpsters, limited space for dumpsters and steep mountain roads, the VTSV proposes to provide a 2.5 cubic yard compactor with a 40 cubic yard receiver box adjacent to its wastewater treatment plant. When a full receiver box is transported to the landfill, it shall immediately be replaced with an empty receiver box, so the compactor remains operational at all times. Also, to be included at the site is two MOR recycling roll off containers. The VTSV will provide a site with power, a concrete pad for compactor, and operating personnel as required. Power available is 230 volt, 3 phase. The VTSV will bill its customers using the compactor and remit payment to the contractor on a monthly basis.

- | | |
|---|--------------------|
| a. Cost per haul from this facility to the landfill | \$285.98 |
| Deliver fee per roll off container | \$124.31 |
| b. Cost per haul from this facility to recycling center | \$285.98 |
| c. Monthly rental charge for compactor,
receiving Boxes & MOR containers | \$581.57 per month |

Note: Because of the volume of solid waste generated and remote location, the Contractor shall provide and service a 30 cy roll off container for the duration of any malfunction of the compactor.

- | | |
|---|----------|
| d. Cost per haul for the 30 cy roll off container to the landfill | \$285.98 |
|---|----------|
- e. All charges are subject to New Mexico Gross Receipts Tax or the VTSV will provide the contractor with a Type 5 NTTC certificate.
- f. The above fees are authorized to increase annually on the anniversary date of this agreement based on the Consumer Price Index (CPI).

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Village Outside Contractor Agreements, Annual Renewal and qualified Price Agreements

DATE: July 25, 2023

PRESENTED BY: John Avila, Village Administrator, CPO

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village has many contracts with outside contractors for ongoing and on-call projects and services to be renewed. As stated below these are the FY2024 contracts which along with the services they provide and a contract amount or not to exceed amount (NTE) to be renewed or considered separately for contract approval:

Above \$60,000

Huitt Zoller	7/1-6/30/2024 Contract Twining Design (NTE) \$171,929.49	Pricing
Agreement Contract (CES), Contract Renewal under qualified Price Agreement.		
Chamber of Commerce	7/1-6/30/2024 Promotional Services (NTE) \$425,000	Renewal Available
NM Self Insured Fund	7/1-6/30/2024 Insurance Services (NTE) \$200,000	Renewal Available

Above \$20,000

Plummer Engineering	7/1-6/30/2024 On-Call General TO#1	(NTE) \$59,000	Renewal Available
Plummer Engineering	7/1-6/30/2024 On-Call Water TO#7	(NTE) \$59,000	Renewal Available
Burt & Company CPA	7/1-6/30/2024 Accounting	(NTE) \$59,000	Renewal Available
Olsen, Lisa	7/1-6/30/2024 Bookkeeping	(NTE) \$59,900	Renewal Available
SW Accounting	7/1-6/30/2024 FY22 Audit	(NTE) \$30,000	Renewal Available
Coppler Firm	7/1-6/30/2024 Attorney contract	Per Billed Hour	Renewal Available
Anchor Built	7/1-6/30/2024 Excavate, Construction	Per Task Order	State Price Agreement

Less Than \$20,000:

Microtek	7/1-6/30 2024	Alarm monitor	(NTE) \$10,000	Renewal Available
Janet Gibeau	7/1-6/30/2024	Office cleaning	(NTE) \$10,000	Renewal Available
Good Riddance	7/1-6/30/2024	Pest Control	(NTE) \$10,000	Renewal Available
Burt & Company CPA	7/1-6/30/2024	Audit-Lodgers Tax	(NTE) \$10,000	Renewal Available
SW Accounting	7/1-6/30/2024	FY21 Audit TIDD	(NTE) \$10,000	Renewal Available
Dr. Linda Lynch	7/1-6/30/2024	Medical Director	(NTE) \$15,000	Renewal Available

RECOMMENDATION: Staff recommends authorization and approval of these contracts needed for time sensitive services provided throughout the Village.

- Thursday, August 17, 2023**
Taos Regional Landfill Board



ENCHANTED CIRCLE MARKETING COOPERATIVE
MEMBERSHIP MEETING

AUGUST 21, 2023

2:00PM

RED RIVER CONFERENCE CENTER CONFERENCE ROOM

ZOOM

101 W RIVER ST, RED RIVER, NM 87558

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
5. FINANCIALS
6. NEW BUSINESS:
 - a. Board of Directors Vacancy: Vice-President
 - b. Consideration and Approval of Professional Services: IRS Tax Filing & Non-Profit Status Designation
 - c. Consideration and Approval of Membership Dues
 - d. Website Update
7. COMMUNITY UPDATES
8. OTHER
9. ADJORNMENT

Council Notes for August 22, 2023 Meeting:

Revenues July 2023:

GRT: This month last year: \$54,649

Last Year YTD: \$54,649

This month this Year: \$77,580

This Year YTD: \$77,580

Lodgers Tax:

This month last year: \$17,714

YTD Last year: \$17,714

This Month this year: \$15,690

YTD This year YTD: \$15,690

REVENUES:

- We received **\$15,008** in hold harmless GRT revenue in June which has been transferred to the USDA fund for monthly loan payments and reserves for the WWTP.
- Fiscal YTD GRT is up 42% from last year for the month of July.
- Fiscal YTD Combined Water and sewer revenues collected are down 18% from last year for the month of July. This reduction in revenue from the previous July is due to reduced usage.
- Fiscal YTD Lodger's tax collections are down 11% from last year for the month of July.
- Fiscal YTD Building permits actual are down 92% from last year for the month of July. July 22 BP revenues on the QB report are overstated by \$17,024 due to DIF revenue posted as BP revenue for this period last year. The actual YTD Building Permit revenue for July 2022 was \$7,464. These amounts are correctly posted on the Caselle report provided.
- The Village received **\$11,688** in property tax collections in July 2023. July Collections are up 8% from July last year.
- The TIDD received **\$103,329** in GRT in July.

- **EXPENSES:**

- Many vendors were not paid in July due to the gap in accounting personnel. July 22 efforts were focused on budget & 4th Q report submissions to DFA. POs & bill payments were postponed. July 22 expense amounts do not represent a real picture. Comparisons will make more sense later in the FY as compared to LFY.

July /August Events

Both the 4th Quarter FY23 and the Final FY24 budget as submitted to DFA have received approval.

We have achieved a successful transition to Caselle Accounting Software with a start date of 7/1/23. Live training was conducted via zoom for Lisa Olsen and Carroll Griesedieck on Aug 3-22, 2023. July 23 activity has been posted into Caselle and checked against QB. The Caselle chart of accounts coordinates exactly with DFA's. In several instances, multiple QB accounts all fall into one DFA category. A revenue and expense report from both systems has been provided. We will continue to post into both systems for at least the 1st Q FY24 and possibly longer. We have completed 2 payroll cycles using the Caselle Software.

January 2023 GRT rate reduction for VTSV location

GRT rates for VTSV went from 9.4375% to 9.3125% for the period of July – December 2022.

This reduction of 0.125% is due to state legislation lowering the state portion of the total from 5.125% to 5%. The portion of the state piece allotted to the Village remains unchanged @ 1.225% of the total. The reduction comes entirely out of the portion that goes to the state. Previously it was 3.9%. In this period, it is reduced to 3.775%.

The total % going to the Village is the municipal 2.4375% (Village ordinances total including Hold Harmless) plus the state piece allotted to municipalities of 1.225% = 3.6625%. This is the same % the Village was previously receiving before this period's reduction in overall rate.

GRT rates for VTSV went from 9.3125% to 8.8125% for the period of Jan – June 2023.

This reduction of 0.5% is due to the sunseting of a Taos County higher education tax. This reduction only affects the county portion. The village municipality does not receive any of the county portion at this time, and so the total % to VTSV is unaffected by this period's rate reduction.

GRT rates for VTSV will go from 8.8125% to 8.9375% for the period of July - Dec 2023.

This increase of 0.125% is due to a combination of:

State legislation lowering the state portion of the total from 5.0% to 4.875%, results in a decrease of 0.125%. The portion of the state piece allotted to the Village remains unchanged @ 1.225%. The reduction comes entirely out of the portion that goes to the state. Previously it was 3.775%. In this period, it will be reduced to 3.650%. The total % to VTSV is unaffected by this rate decrease.

The county rate increased adding 0.25% to the total. This is the result of the county gross receipts tax increase voted for in November. 2022 The Village Municipality does not receive any of the county grt portion currently, and so the total % to VTSV is unaffected by this rate increase.

Per the GRT revenues portions that the Village receives:

The total Municipal GRT rate is 2.4375% and the total Municipal portion of the state GRT is 1.225% . These are unchanged from the previous period.

VILLAGE OF TAOS SKI VALLEY
Preliminary Statement of Revenue & Expenses
July 2023

	Jul 23	Jul 22	\$ Change	% Change
Ordinary Income/Expense				
Income				
4016 · Revenue - GRT ITG Telecom	7.70	25.53	-17.83	-69.8%
4017 · Revenue GRT Comp Tax	580.36	332.33	248.03	74.6%
4012 · REVENUE -Water Sales	11,896.76	14,533.88	-2,637.12	-18.1%
4013 · Revenue - Sewer	47,587.00	58,135.50	-10,548.50	-18.1%
4019 · REVENUE-Hold Harmless GRT	15,007.83	6,426.90	8,580.93	133.5%
4020 · REVENUE - GRT MUNICIPAL	45,629.36	22,317.32	23,312.04	104.5%
4021 · REVENUE - GRT- STATE	27,115.93	35,514.46	-8,398.53	-23.7%
4026 · REVENUE - BUSINESS LICENSE	2,440.00	275.00	2,165.00	787.3%
4027 · REVENUE - OTHER	16,129.45	19,822.65	-3,693.20	-18.6%
4028 · REVENUE - GASOLINE TAX	442.53	417.00	25.53	6.1%
4029 · REVENUE - LODGER'S TAX	15,690.29	17,714.27	-2,023.98	-11.4%
4031 · REVENUE - PARKING FINES	950.00	0.00	950.00	100.0%
4032 · REVENUE - ANIMAL LICENSE	7.50	0.00	7.50	100.0%
4034 · REVENUE - MOTOR VEHICLE FEES	1,877.65	3,131.86	-1,254.21	-40.1%
4035 · REVENUE - BUILDING PERMITS	627.50	24,488.16	-23,860.66	-97.4%
4036 · REVENUE -Licenses/Permits Other	0.00	10.00	-10.00	-100.0%
4046 · REVENUE - SOLID WASTE FEE	5,177.34	5,516.33	-338.99	-6.2%
4047 · REVENUE - OTHER OPERATING	451.42	428.75	22.67	5.3%
4050 · REVENUE - IMPACT FEES	23,876.07	0.00	23,876.07	100.0%
4051 · REVENUE - IMPACT FEE ADMIN 3%	738.43	0.00	738.43	100.0%
4058 · Plan Review Fees & Zoning Prmts	907.88	3,289.90	-2,382.02	-72.4%
7004 · REVENUE - FINANCE CHARGE ON W/S	20.41	95.72	-75.31	-78.7%
7005 · REVENUE - INTEREST INCOME	26,994.02	4,978.00	22,016.02	442.3%
7006 · REVENUE -INVESTMENT INTEREST	711.12	0.00	711.12	100.0%
7010 · REVENUE - AD VALOREM TAX	11,687.70	10,828.51	859.19	7.9%
Total Income	256,554.25	228,282.07	28,272.18	12.4%
Gross Profit	256,554.25	228,282.07	28,272.18	12.4%
Expense				
6100 · Salary and Benefits				
6112 · SALARIES - STAFF	101,048.54	81,107.22	19,941.32	24.6%
6113 · SALARIES - ELECTED	1,853.52	2,626.14	-772.62	-29.4%
6115 · Overtime salaries	348.10	2,206.84	-1,858.74	-84.2%
6122 · HEALTH INSURANCE	0.00	18,054.82	-18,054.82	-100.0%
6125 · FICA EMPLOYER'S SHARE	6,294.56	5,227.07	1,067.49	20.4%
6127 · SUTA STATE UNEMPLOYMENT	116.92	125.84	-8.92	-7.1%
6128 · PERA Employer Portion	10,275.08	3,817.15	6,457.93	169.2%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	500.00	0.00	500.00	100.0%
6133 · Life Insurance	0.00	79.56	-79.56	-100.0%
6134 · Dental insurance	0.00	1,182.75	-1,182.75	-100.0%
6135 · Vision Insurance	0.00	207.50	-207.50	-100.0%
6136 · FICA -EMPLOYER SHARE MEDICARE	1,472.13	1,222.45	249.68	20.4%
Total 6100 · Salary and Benefits	121,908.85	115,857.34	6,051.51	5.2%
6220 · OUTSIDE CONTRACTORS	192,974.68	7,883.42	185,091.26	2,347.9%
6230 · LEGAL SERVICES	3,635.11	0.00	3,635.11	100.0%
6251 · WATER PURCHASE, STORAGE	125.49	0.00	125.49	100.0%
6252 · INTERNET	718.73	1,012.53	-293.80	-29.0%
6253 · ELECTRICITY	4,124.41	6,176.26	-2,051.85	-33.2%
6256 · TELEPHONE	1,412.77	626.76	786.01	125.4%
6257 · RENT PAID	209.90	0.00	209.90	100.0%
6258 · WATER CONSERVATION FEE	67.90	55.98	11.92	21.3%
6259 · Natural Gas	680.03	0.00	680.03	100.0%
6310 · Advertising	0.00	551.57	-551.57	-100.0%
6313 · MATERIAL & SUPPLIES	4,394.41	174.00	4,220.41	2,425.5%
6314 · Dues/fees/registration/renewals	48.14	0.00	48.14	100.0%
6315 · BANK CHARGES	254.19	238.68	15.51	6.5%
6316 · Software	9,711.27	37.19	9,674.08	26,012.6%
6317 · Personal Protective Equipment	238.28	0.00	238.28	100.0%
6318 · Postage	86.32	0.00	86.32	100.0%
6320 · EQUIPMENT REPAIR & PARTS	83.99	0.00	83.99	100.0%
6322 · SMALL EQUIP & TOOL PURCHASES	898.03	357.42	540.61	151.3%
6323 · SYSTEM REPAIR & PARTS	3,410.30	0.00	3,410.30	100.0%
6417 · VEHICLE MAINTENANCE	0.00	-12,253.01	12,253.01	100.0%
6418 · FUEL EXPENSE	3,014.96	106.41	2,908.55	2,733.3%
6432 · TRAVEL & PER DIEM	1,398.46	0.00	1,398.46	100.0%
6434 · TRAINING	0.00	404.19	-404.19	-100.0%
6570 · Other Operations Expenses	1,824.94	1,256.49	568.45	45.2%
6712 · LAB CHEMICALS & SUPPLIES	750.00	0.00	750.00	100.0%
6716 · LAB TESTING SERVICES	318.48	0.00	318.48	100.0%
8322 · CAPITAL EXPENDITURES	10,042.07	0.00	10,042.07	100.0%
8428 · Debt Service GRT FY2020 repay	2,596.65	2,596.65	0.00	0.0%
8430 · USDA FY20 Principal Expense	10,120.93	9,891.31	229.62	2.3%

3:51 PM

08/17/23

Cash Basis

VILLAGE OF TAOS SKI VALLEY
Preliminary Statement of Revenue & Expenses
July 2023

	Jul 23	Jul 22	\$ Change	% Change
8431 · USDA FY20 Interest Expense	13,757.07	13,986.69	-229.62	-1.6%
Total Expense	388,806.36	148,959.88	239,846.48	161.0%
Net Ordinary Income	-132,252.11	79,322.19	-211,574.30	-266.7%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO (IN) FUND	-184,878.61	-56,466.03	-128,412.58	-227.4%
9002 · TRANSFER FROM (OUT) FUND	184,878.61	56,466.03	128,412.58	227.4%
Total Other Expense	0.00	0.00	0.00	0.0%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	-132,252.11	79,322.19	-211,574.30	-266.7%

Preliminary Statement of Revenue Expenses
July 2023 vs July 2022

Account	Title	7/31/2023	7/31/2022		
		Balance	Balance	Change	% Change
41100	Franchise Tax	\$ 15,166.45	\$ 19,822.65	\$ (4,656.20)	-23.49%
41250	Gross Receipts Tax - Municipal	\$ 45,629.36	\$ 22,317.32	\$ 23,312.04	104.46%
41258	GRT - Municipal Tax HH	\$ 15,007.83	\$ 6,426.90	\$ 8,580.93	133.52%
41259	CMP - Compensating Tax	\$ 580.36	\$ 332.33	\$ 248.03	74.63%
41260	ITG - Interstate Telecom Gross	\$ 7.70	\$ 25.53	\$ (17.83)	-69.84%
41500	Property Tax - Current	\$ 11,687.70	\$ 10,828.51	\$ 859.19	7.93%
42401	GRT Shared - Municipal Equival	\$ 27,115.93	\$ 35,514.46	\$ (8,398.53)	-23.65%
43300	Building Permit	\$ 627.50	\$ 7,464.16	\$ (6,836.66)	-91.59%
43400	Business Licenses/Registration	\$ 2,440.00	\$ 275.00	\$ 2,165.00	787.27%
43500	Liquor Licenses	\$ -	\$ -	\$ -	
43800	Zoning Permits	\$ 907.88	\$ 3,289.90	\$ (2,382.02)	-72.40%
43900	Other Licenses and Permits	\$ 7.50	\$ 10.00	\$ (2.50)	-25.00%
44270	Impact Fees	\$ 23,876.07	\$ 17,024.00	\$ 6,852.07	40.25%
44990	Other Charges for Services	\$ 5,936.18	\$ 5,612.05	\$ 324.13	5.78%
45050	Parking Fines	\$ 950.00	\$ -	\$ 950.00	
46030	Interest Income	\$ 26,994.02	\$ 4,978.00	\$ 22,016.02	442.27%
46040	Investment Income	\$ 711.12	\$ -	\$ 711.12	
46900	Miscellaneous - Other	\$ 451.42	\$ 428.75	\$ 22.67	5.29%
47140	Small Cities Assistance (TRD)	\$ -	\$ -	\$ -	
47100	State - Fire Marshall Allotmen	\$ -	\$ -	\$ -	
47110	State - Law Enforcement Protec	\$ -	\$ -	\$ -	
41300	Lodgers' Tax	\$ 15,690.29	\$ 17,714.27	\$ (2,023.98)	-11.43%
42300	Gas Tax for General Purposes	\$ 442.53	\$ 417.00	\$ 25.53	6.12%
42601	Motor Vehicle Fees	\$ 1,877.65	\$ 3,131.86	\$ (1,254.21)	-40.05%
47499	Other State Grants	\$ -	\$ -	\$ -	
47399	Other State Distributions (res	\$ -	\$ -	\$ -	
47700	Federal - LG Abatement	\$ -	\$ -	\$ -	
42700	Cannabis Excise Tax	\$ -	\$ -	\$ -	
46010	Contributions/Donations	\$ 963.00	\$ -	\$ 963.00	
44220	Water Use Fees	\$ 11,896.76	\$ 14,533.88	\$ (2,637.12)	-18.14%
44230	Utility Service Fees	\$ 47,587.00	\$ 58,135.50	\$ (10,548.50)	-18.14%
Total Income		\$ 256,554.25	\$ 228,282.07	\$ 28,272.18	12.38%
				\$ -	
51010	Salaries - Elected Officials	\$ 1,853.52	\$ 2,626.14	\$ (772.62)	-29.42%
51020	Salaries - Full-Time Positions	\$ 101,048.54	\$ 81,107.22	\$ 19,941.32	24.59%
51040	Salaries - Part-Time Positions	\$ -	\$ 2,206.84	\$ (2,206.84)	-100.00%
51060	Salaries - Overtime	\$ 348.10		\$ 348.10	
52010	FICA - Regular	\$ 6,294.56	\$ 5,227.07	\$ 1,067.49	20.42%
52011	FICA - Medicare	\$ 1,472.13	\$ 1,222.45	\$ 249.68	20.42%
52020	Retirement	\$ 10,275.08	\$ 3,817.15	\$ 6,457.93	169.18%
52030	Health and Medical Premiums	\$ -	\$ 18,054.82	\$ (18,054.82)	-100.00%
52040	Life Insurance Premiums	\$ -	\$ 79.56	\$ (79.56)	-100.00%
52050	Dental Insurance Premiums	\$ -	\$ 1,182.75	\$ (1,182.75)	-100.00%
52060	Vision Insurance Medical Premi	\$ -	\$ 207.50	\$ (207.50)	-100.00%
52080	Other Insurance Premiums	\$ 116.92	\$ 125.84	\$ (8.92)	-7.09%
52100	Workers' Compensation Premium	\$ -	\$ -	\$ -	
52120	Workers' Compensation (Self In	\$ -	\$ -	\$ -	
52999	Other Employee Benefits	\$ 500.00	\$ -	\$ 500.00	

Preliminary Statement of Revenue Expenses
July 2023 vs July 2022

53010	Travel - Elected Officials	\$ -	\$ -	\$ -	
53030	Travel - Employees	\$ 1,398.46	\$ -	\$ 1,398.46	
54010	Maintenance & Repairs - Buildi	\$ -	\$ -	\$ -	
54040	Maintenance & Repairs - Vehicl	\$ -	\$ (12,253.01)	\$ 12,253.01	-100.00%
54050	Maintenance & Repair - Furnitu	\$ 3,494.29	\$ -	\$ 3,494.29	
55010	Contract - Audit	\$ -	\$ -	\$ -	
55020	Contract - Attorney Fees	\$ 3,635.11	\$ -	\$ 3,635.11	
55030	Contract - Professional Servic	\$ 160,376.49	\$ 7,883.42	\$ 152,493.07	1934.35%
55999	Contract - Other Services	\$ -	\$ -	\$ -	
56010	Software	\$ 9,711.27	\$ 37.19	\$ 9,674.08	26012.58%
56020	Supplies - General Office	\$ 4,394.41	\$ 174.00	\$ 4,220.41	2425.52%
56030	Supplies - Field Supplies	\$ -	\$ -	\$ -	
56040	Supplies - Furniture/Fixtures/	\$ 898.03	\$ 357.42	\$ 540.61	151.25%
56050	Supplies - Janitorial/Maintena	\$ -	\$ -	\$ -	
56090	Supplies - Safety	\$ 238.28	\$ -	\$ 238.28	
56120	Supplies - Vehicle Fuel	\$ 3,014.96	\$ 106.41	\$ 2,908.55	2733.34%
56999	Supplies - Other	\$ 750.00	\$ -	\$ 750.00	
57040	Election Costs	\$ -	\$ -	\$ -	
57050	Employee Training	\$ -	\$ 404.19	\$ (404.19)	-100.00%
57060	Grants to Sub-recipients	\$ 32,916.67	\$ -	\$ 32,916.67	
57070	Insurance - General Liability/	\$ -	\$ -	\$ -	
57080	Postage	\$ 86.32	\$ -	\$ 86.32	
57090	Printing/Publishing/Advertisin	\$ -	\$ 551.57	\$ (551.57)	-100.00%
57130	Rent of Equipment/Machinery	\$ -	\$ -	\$ -	
57140	Rent of Land/Building	\$ 209.90	\$ -	\$ 209.90	
57150	Subscriptions & Dues	\$ 48.14	\$ -	\$ 48.14	
57160	Telecommunications	\$ 2,131.50	\$ 1,639.29	\$ 492.21	30.03%
57170	Utilities - Electricity	\$ 4,124.41	\$ 6,176.26	\$ (2,051.85)	-33.22%
57171	Utilities - Natural Gas	\$ 680.03	\$ -	\$ 680.03	
57172	Utilities - Propane/Butane	\$ -	\$ -	\$ -	
57999	Other Operating Costs	\$ 2,272.52	\$ 1,551.15	\$ 721.37	46.51%
58010	Buildings & Structures	\$ -	\$ -	\$ -	
58020	Equipment & Machinery	\$ -	\$ -	\$ -	
58040	Infrastructure	\$ -	\$ -	\$ -	
58080	Vehicles	\$ -	\$ -	\$ -	
58090	Roadways/Bridges	\$ -	\$ -	\$ -	
58999	Other Capital Purchases	\$ 10,042.07	\$ -	\$ 10,042.07	
59010	Debt Service - Principal Payme	\$ 12,717.58	\$ 12,487.96	\$ 229.62	1.84%
59020	Debt Service - Interest Paymen	\$ 13,757.07	\$ 13,986.69	\$ (229.62)	-1.64%
Total Expense		\$ 388,806.36	\$ 148,959.88	\$ 239,846.48	161.01%

\$ -

61100	Transfers In	\$ (184,878.61)	\$ (56,466.03)	\$ (128,412.58)	227.42%
61200	Transfers Out	\$ 184,878.61	\$ 56,466.03	\$ 128,412.58	227.42%
		\$ -	\$ -		

net income		\$ (132,252.11)	\$ 79,322.19	\$ (211,574.30)	-266.73%
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Lodger's Tax

CURRENT RATE = 5%

7/01/04 thru Current the tax rate is 5%, 2/97 thru 6/04 tax rate was 4.5%

LODGERS' TAX

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2013	\$3,611.20	\$6,647.21	\$6,362.49	\$6,914.30	\$3,587.06	\$4,412.71	\$41,548.72	\$58,051.35	\$69,819.08	\$65,779.34	\$2,387.53	\$1,223.37
YTD	\$3,611.20	\$10,258.41	\$16,620.90	\$23,535.20	\$27,122.26	\$31,534.97	\$73,083.69	\$131,135.04	\$200,954.12	\$266,733.46	\$269,120.99	\$270,344.36
FY 2014	\$2,832.98	\$7,754.90	\$7,045.56	\$19,777.25	\$4,319.60	\$4,888.83	\$54,643.19	\$58,342.34	\$68,032.70	\$67,580.97	\$4,688.03	\$1,953.28
YTD	\$2,832.98	\$10,587.88	\$17,633.44	\$37,410.69	\$41,730.29	\$46,619.12	\$101,262.31	\$159,604.65	\$227,637.35	\$295,218.32	\$299,906.35	\$301,859.63
FY 2015	\$2,492.93	\$6,804.83	\$15,377.68	\$9,451.74	\$6,196.45	\$7,739.68	\$48,605.50	\$66,074.56	\$67,834.16	\$75,221.00	\$5,450.60	\$1,138.28
YTD	\$2,492.93	\$9,297.76	\$24,675.44	\$34,127.18	\$40,323.63	\$48,063.31	\$96,668.81	\$162,743.37	\$230,577.53	\$305,798.53	\$311,249.13	\$312,387.41
FY 2016	\$3,159.70	\$22,368.20	\$9,450.74	\$5,746.17	\$4,197.87	\$9,297.58	\$53,807.00	\$72,513.85	\$76,593.23	\$71,244.05	\$3,250.86	\$2,501.47
YTD	\$3,159.70	\$25,527.90	\$34,978.64	\$40,724.81	\$44,922.68	\$54,220.26	\$108,027.26	\$180,541.11	\$257,134.34	\$328,378.39	\$331,629.25	\$334,130.72
FY 2017	\$3,312.79	\$6,428.45	\$20,520.20	\$6,104.38	\$4,731.31	\$5,975.60	\$52,006.45	\$57,922.20	\$70,032.91	\$81,036.07	\$5,683.84	\$3,145.21
YTD	\$3,312.79	\$9,741.24	\$30,261.44	\$36,365.82	\$41,097.13	\$47,072.73	\$99,079.18	\$157,001.38	\$227,034.29	\$308,070.36	\$313,754.20	\$316,899.41
FY 2018	\$26,463.06	\$13,960.76	\$11,225.88	\$8,960.06	\$6,207.19	\$6,521.15	\$71,990.70	\$56,655.53	\$68,454.45	\$74,080.27	\$1,667.88	\$3,332.25
YTD	\$26,463.06	\$40,423.82	\$51,649.70	\$60,609.76	\$66,816.95	\$73,338.10	\$145,328.80	\$201,984.33	\$270,438.78	\$344,519.05	\$346,186.93	\$349,519.18
FY2019	\$8,692.23	\$17,791.85	\$15,936.00	\$15,977.48	\$11,905.77	\$18,255.86	\$89,403.18	\$100,794.38	\$105,205.05	\$122,892.45	\$12,426.36	\$5,097.57
YTD	\$8,692.23	\$26,484.08	\$42,420.08	\$58,397.56	\$70,303.33	\$88,559.19	\$177,962.37	\$278,756.75	\$383,961.80	\$506,854.25	\$519,280.61	\$524,378.18
FY2020	\$9,107.40	\$23,176.76	\$18,926.00	\$18,538.79	\$15,121.36	\$16,682.78	\$100,415.47	\$111,589.79	\$111,413.82	\$68,226.73	\$472.24	-\$453.54
YTD	\$9,107.40	\$32,284.16	\$51,210.16	\$69,748.95	\$84,870.31	\$101,553.09	\$201,968.56	\$313,558.35	\$424,972.17	\$493,198.90	\$493,671.14	\$493,217.60
FY2021	\$8,171.37	\$15,170.58	\$12,836.91	\$17,194.52	\$14,423.38	\$6,231.96	\$55,290.11	\$42,558.56	\$84,760.20	\$96,555.93	\$10,267.66	\$7,219.30
YTD	\$8,171.37	\$23,341.95	\$36,178.86	\$53,373.38	\$67,796.76	\$74,028.72	\$129,318.83	\$171,877.39	\$256,637.59	\$353,193.52	\$363,461.18	\$370,680.48
FY2022	\$18,245.95	\$38,815.26	\$26,765.37	\$22,996.72	\$22,728.29	\$23,037.99	\$110,392.10	\$131,470.22	\$148,781.28	\$158,043.82	\$17,101.43	\$6,264.48
YTD	\$18,245.95	\$57,061.21	\$83,826.58	\$106,823.30	\$129,551.59	\$152,589.58	\$262,981.68	\$394,451.90	\$543,233.18	\$701,277.00	\$718,378.43	\$724,642.91
FY2023	\$17,714.27	\$29,642.49	\$26,135.01	\$29,754.45	\$25,300.02	\$22,079.15	\$117,615.32	\$133,713.55	\$136,996.72	\$135,113.91	\$24,434.95	\$7,546.81
YTD	\$17,714.27	\$47,356.76	\$73,491.77	\$103,246.22	\$128,546.24	\$150,625.39	\$268,240.71	\$401,954.26	\$538,950.98	\$674,064.89	\$698,499.84	\$706,046.65
FY2024	\$15,690.29											
YTD	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29	\$15,690.29

Current month LT collections reflects money generated in the previous month.

VILLAGE OF TAOS SKI VALLEY GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

Gross Receipts Tax
CURRENT RATE = 9.3125%

GROSS RECEIPTS

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2013	\$36,835.14	\$20,863.12	\$45,705.38	\$27,699.69	\$66,674.98	\$48,677.59	\$50,727.81	\$178,549.60	\$163,125.28	\$166,032.40	\$203,817.88	\$21,818.85
YTD	\$36,835.14	\$57,698.26	\$103,403.64	\$131,103.33	\$197,778.31	\$246,455.90	\$297,183.71	\$475,733.31	\$638,858.59	\$804,890.99	\$1,008,708.87	\$1,030,527.72
FY 2014	\$32,785.51	\$20,399.76	\$33,382.63	\$32,521.83	\$42,153.17	\$47,625.85	\$41,859.55	\$187,697.06	\$165,940.26	\$157,119.60	\$217,538.39	\$33,070.40
YTD	\$32,785.51	\$53,185.27	\$86,567.90	\$119,089.73	\$161,242.90	\$208,868.75	\$250,728.30	\$438,425.36	\$604,365.62	\$761,485.22	\$979,023.61	\$1,012,094.01
FY 2015	\$50,101.37	\$20,302.81	\$45,180.40	\$67,963.83	\$54,978.94	\$102,903.79	\$88,137.83	\$228,895.80	\$200,123.07	\$208,944.00	\$231,566.84	\$70,845.96
YTD	\$50,101.37	\$70,404.18	\$115,584.58	\$183,548.41	\$238,527.35	\$341,431.14	\$429,568.97	\$658,464.77	\$858,587.84	\$1,067,531.84	\$1,299,098.68	\$1,369,944.64
FY 2016	\$37,891.82	\$20,239.04	\$97,742.38	\$25,839.07	\$197,397.64	\$95,985.99	\$224,614.99	\$103,161.00	\$166,682.00	\$180,838.00	\$201,624.53	\$38,366.93
YTD	\$37,891.82	\$58,130.86	\$155,873.24	\$181,712.31	\$379,109.95	\$475,095.94	\$699,710.93	\$802,871.93	\$969,553.93	\$1,150,391.93	\$1,352,016.46	\$1,390,383.39
FY 2017	\$119,909.94	\$55,423.48	\$87,873.13	\$142,357.47	\$41,995.22	\$148,618.10	\$142,636.32	\$187,613.18	\$204,129.97	\$165,451.68	\$208,890.93	\$76,774.96
YTD	\$119,909.94	\$175,333.42	\$263,206.55	\$405,564.02	\$447,559.24	\$596,177.34	\$738,813.66	\$926,426.84	\$1,130,556.81	\$1,296,008.49	\$1,504,899.42	\$1,581,674.38
FY 2018	\$29,864.17	\$48,702.07	\$58,630.68	\$75,354.62	\$89,599.77	\$118,550.59	\$207,717.57	\$250,972.85	\$212,959.98	\$187,022.24	\$243,419.70	\$35,925.42
YTD	\$29,864.17	\$78,566.24	\$137,196.92	\$212,551.54	\$302,151.31	\$420,701.90	\$628,419.47	\$879,392.32	\$1,092,352.30	\$1,279,374.54	\$1,522,794.24	\$1,558,719.66
FY2019	\$54,483.94	\$55,106.22	\$86,640.50	\$136,554.40	\$141,644.03	\$189,464.82	\$258,317.57	\$323,305.93	\$301,671.26	\$252,340.78	\$319,694.92	\$86,838.09
YTD	\$54,483.94	\$109,590.16	\$196,230.66	\$332,785.06	\$474,429.09	\$663,893.91	\$922,211.48	\$1,245,517.41	\$1,547,188.67	\$1,799,529.45	\$2,119,224.37	\$2,206,062.46
FY2020	\$73,181.77		\$83,775.61		\$88,409.53	\$146,106.99	\$125,934.38	\$319,335.98	\$239,931.17	\$274,561.13	\$264,594.35	\$36,980.50
YTD	\$73,181.77	\$73,181.77	\$156,957.38	\$156,957.38	\$245,366.91	\$391,473.90	\$517,408.28	\$836,744.26	\$1,076,675.43	\$1,351,236.56	\$1,615,830.91	\$1,652,811.41
FY2021	\$68,159.90	\$74,233.88	\$46,486.94	\$82,049.26	\$89,940.38	\$149,265.06	\$122,193.28	\$251,925.28	\$236,440.15	\$214,210.24	\$289,075.34	\$55,873.27
YTD	\$68,159.90	\$142,393.78	\$188,880.72	\$270,929.98	\$360,870.36	\$510,135.42	\$632,328.70	\$884,253.98	\$1,120,694.13	\$1,334,904.37	\$1,623,979.71	\$1,679,852.98
FY2022	\$68,717.19	\$41,194.60	\$84,767.28	\$114,462.17	\$87,852.52	\$130,134.55	\$101,812.08	\$288,224.10	\$264,254.52	\$288,432.00	\$387,016.42	\$60,037.50
YTD	\$68,717.19	\$109,911.79	\$194,679.07	\$309,141.24	\$396,993.76	\$527,128.31	\$628,940.39	\$917,164.49	\$1,181,419.01	\$1,469,851.01	\$1,856,867.43	\$1,916,904.93
FY2023	\$54,648.70	\$35,075.40	\$68,454.10	\$80,723.22	\$126,212.90	\$125,573.69	\$142,615.65	\$296,312.84	\$293,244.12	\$267,784.55	\$346,834.02	\$55,904.39
YTD	\$54,648.70	\$89,724.10	\$158,178.20	\$238,901.42	\$365,114.32	\$490,688.01	\$633,303.66	\$929,616.50	\$1,222,860.62	\$1,490,645.17	\$1,837,479.19	\$1,893,383.58
FY2024	\$77,579.64											
YTD	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64	\$77,579.64

Current month GRT collections reflects money generated 2 months prior.

*Funds in this sheet are recorded as cash received

FY2023 & FYTD2024 TIDD GRT Distribution

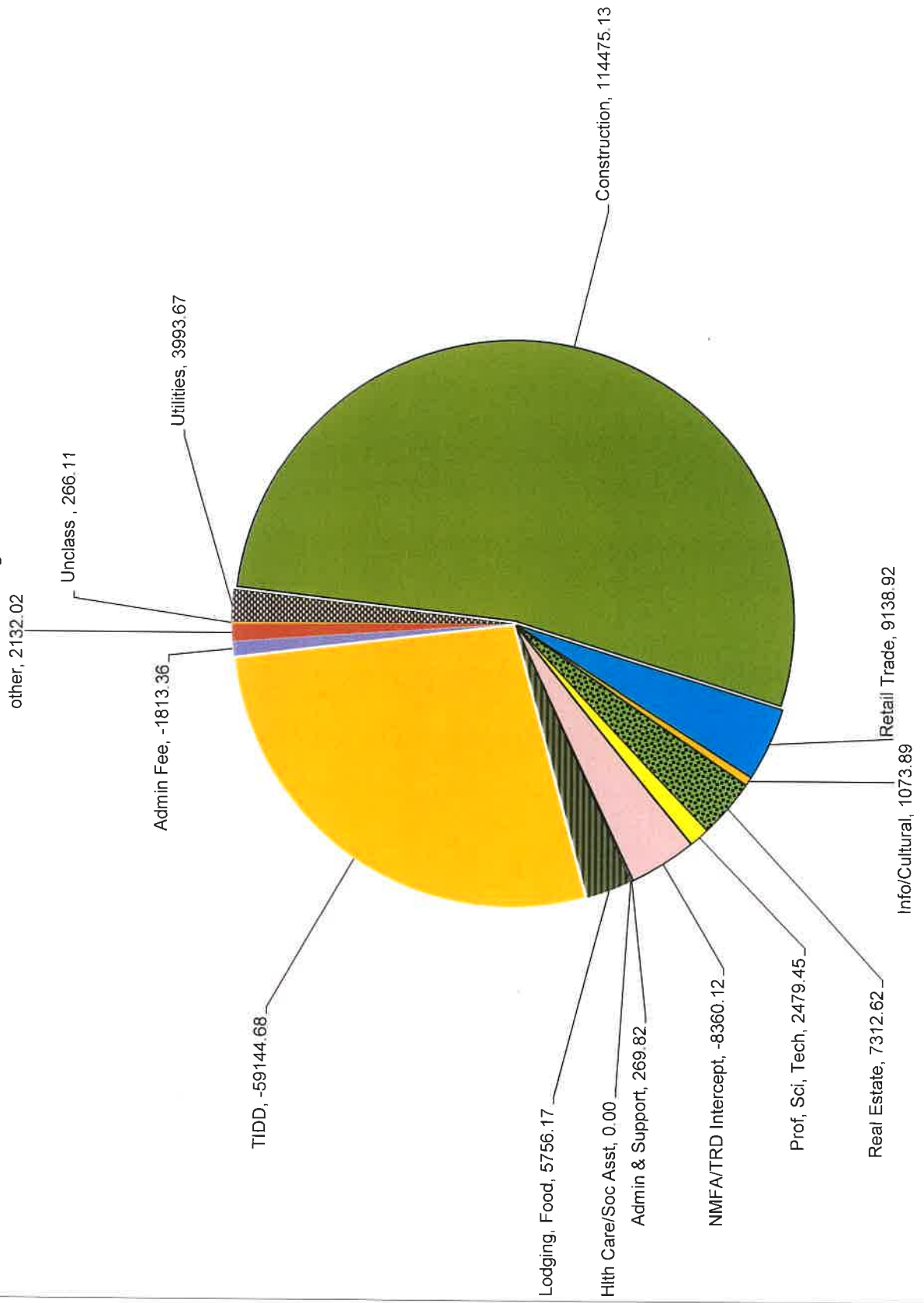
Date	VTSV Increment	State Increment	Admin Fees	Pay Backs	Total TIDD	NWIRA & US	Hold Harmless GRT	VTSV Cash
7/18/2022	(17,240.41)	(27,906.36)	319.99	-	(44,826.78)	8,360.12	6,426.90	54,648.70
8/22/2022	36,658.10	57,852.94	(689.95)	(44,826.78)	48,994.31	8,360.12	14,070.55	35,075.40
9/21/2022	37,758.59	57,866.32	(710.67)	-	94,914.24	8,360.12	17,588.79	68,454.10
10/19/2022	15,202.78	24,597.60	(276.99)	-	39,523.39	8,360.12	10,637.18	80,723.22
11/17/2022	133,817.63	204,886.92	(2,518.62)	-	336,185.93	8,360.12	25,992.53	126,212.90
12/15/2022	3,251.75	4,949.84	(61.40)	-	8,140.19	8,360.12	13,992.93	125,573.69
1/19/2023	81,208.10	128,084.88	(1,503.67)	-	207,789.31	8,360.12	24,077.47	142,615.65
2/15/2023	158,116.52	242,092.64	(2,975.91)	-	397,233.25	8,361.12	47,915.09	296,312.84
3/15/2023	199,147.17	154,194.82	(3,725.47)	-	349,616.52	8,361.12	51,717.41	293,244.12
4/19/2023	175,757.64	134,549.40	(3,307.99)	-	306,999.05	8,361.12	46,635.51	267,784.55
5/19/2023	188,033.34	143,949.70	(3,539.02)	-	328,444.02	8,361.12	56,212.46	346,834.02
6/22/2023	47,894.35	36,665.06	(901.43)	-	83,657.98	8,361.12	11,450.54	55,904.39
TOTAL FY23	1,059,605.56	1,161,783.76	(19,891.13)	(44,826.78)	2,156,671.41	100,326.44	326,717.36	1,893,383.58
7/19/2023	59,144.68	45,297.26	(1,113.17)	-	103,328.77	8,360.12	15,007.83	77,579.64

TOTAL FY24	59,144.68	45,297.26	(1,113.17)	-	103,328.77	100,326.44	15,007.83	77,579.64
TOTAL FY2016-FY2024	6,049,222.41	5,559,287.39	(96,379.30)	(180,961.17)	11,331,901.97	676,350.62	1,532,923.97	13,308,640.00

Village Baseline

Month GRT is Generated	Month GRT is Reported to State	Mth GRT is distributed fr State to Entities	Total	State	Village
December	January	February	371,622.37	201,645.53	169,976.84
January	February	March	328,741.64	178,378.07	150,363.57
February	March	April	310,404.18	168,428.01	141,976.17
March	April	May	429,910.95	233,273.42	196,637.53
April	May	June	64,234.89	34,854.41	29,380.48
May	June	July	93,353.53	50,654.43	42,699.09
June	July	August	40,142.02	21,781.41	18,360.61
July	August	September	89,560.14	48,596.11	40,964.03
August	September	October	134,697.23	73,087.89	61,609.34
September	October	November	108,590.92	58,922.38	49,668.54
October	November	December	204,035.98	110,711.70	93,324.28
November	December	January	174,517.70	94,694.82	79,822.88
Total	Total	Total	2,349,811.54	1,275,028.17	1,074,783.36

Village of Taos Ski Valley Gross Receipts Distribution collected for May 2023 recieved in July 2023



Monthly Public Safety Repc Jul-23

Law Enforcement	R. Salazar	J. Hutter	V. Vigil	Totals	Last Year
911 Hang up	0	0	0	0	0
Abandoned Vehicle	0	0	0	0	0
Alcohol Offense - Adult	0	0	0	0	1
Animal Calls	0	1	0	1	4
Arrests	0	0	0	0	0
Assists to other Agencies	5	0	2	7	7
B&E /Burglary	0	0	0	0	0
Battery or Assault	0	0	0	0	0
Business Alarm	1	1	0	2	4
Citizen Assists/Contacts	21	16	20	57	39
Civil Stand-by/Civil Complai	0	0	0	0	0
Disorderly /Disturbance	0	0	0	0	0
Domestic Calls	0	0	0	0	0
Embezzlement	0	0	0	0	0
Foot Patrol Hours	24	4	5	33	58
Found/Lost Property	0	1	0	0	0
Fraud Complaint	0	0	0	0	0
Harassment	0	0	0	0	0
Larceny	0	0	0	0	0
Law Unknown/Information	0	0	0	0	0
Missing Adult/Person	0	0	0	0	1
MVC's	0	0	0	0	2
Narcotics Adult	0	0	0	0	0
Natural Diasters	0	0	0	0	0
Parking Citations	9	6	0	15	0
Private Property Crash	0	0	0	0	0
Reckless Driver	0	0	0	0	0
Residential Alarm	1	1	0	2	1
Shots Fired	0	0	0	0	0
Suicide Subject	0	0	1	1	0
Suspicious Persons/Vehicles	0	2	0	2	0
Theft	0	1	0	1	0
Traffic Enforcement Hours	14	40	2	56	61
Traffic Hazard	6	0	2	8	3
Traffic Stops	3	46	1	50	12
Tresspass Warnings	0	0	0	0	0
Vehicle Theft	0	0	0	0	0
Verbal Warnings	3	0	0	3	19
Welfare Check	2	4	0	6	3
Written Citations	0	12	0	12	0
Written warnings	0	34	0	34	0
Fire/EMS	3	6	9	18	2

Monthly Accomplishments for July 2023

Police Department Chief / Director Virgil Vigil

- Chief Matt Rogers was interviewed and offered the VTSV-Fire Chief position. Chief Rogers met and exceeded the requirements for the VTSV Chief. Chief Rogers accepted the offer of the position.
- Officer James Gladeau resigned from his position as a VTSV Police Officer. Officer Gladeau took the Chief of Police position at Picuris Pueblo Police Department. Our current schedule was remodified to continue to have coverage for vacant positions. Lt. Salazar will currently resume Officer Gladeau's shifts and I will also assist in handling calls, covering shifts and on call coverage, until we can fill this vacant position.
- We participated on the 4th of July events that were a success and it was incident free. The Ems/fire Department gave out free hotdogs and received a few hundred dollars in donations for EMS/Fire Department.
- I finished and accepted the application for the Law Enforcement Recruit Fund Grant that was due on August 4, 2023. If accepted the grant would issue approximately 70 to 75 thousand for each vacant position, we were requesting funding for Officer James Gladeau vacant position.
- I attended the Public Safety/Firewise meeting and updated them on the progress of the Fire/Police/ EMS developments, calls. I also attended E911 board, Lepc, and Taos Crime Stoppers Meetings.
- Public Works employees, Kevin and Josiah conducted a recon mission of the possible evacuation trail to Red River on horseback. The late Mayor King advised us that it was very steep and treacherous. Kevin and Josiah confirmed this and were able to take picture of the trail and they will be attached to this report.

Items In progress for August

- I will be meeting with the Fire Chief/ EMS Chief on ideas to continue the two-department moving forward and bringing them up to date.
- I plan on attending Public Safety/Firewise, E911 board, Lepc, Dwi Council, Taos Crime Stoppers and Village Council Meeting this month.
- We will be working on an operation plan for the upcoming Bull of Woods Event.
- I'll working on filing the vacant certified Officer position.

From EMS Department Chief Matt Rogers/Interim Fire Chief

Pumps, Hose and Ladders inspected, one pump and 2 ladders failed and will have to be replaced and the pump refurbished

Several EMS calls and a few fire alarms.

The recovery with SO

Attended enchanted circle Fire Chief meeting. Looking to renew MOU with enchanted circle.

Had Pre ISO inspection meeting

Matt Rogers EMT-P, DiMM

Village of Taos Ski Valley

EMS Chief

C: 203-246-9153

W: 575-776-7693

From TSVFD Fire Administrator Mitch Daniels

July, 2023

CWPP submitted to Firewise Board, Village Council and Mayor for review, recommendations, approval.

Community Chipping Program coming to fruition.

Completed NMFFTA HazMat class, waiting on results.

Assisting Chief Rogers with Fire/EMS/SAR

Volunteering when available

Mitch

Mitch Daniels

Village of Taos Ski Valley

Department of Public Safety

Fire/EMS Division Administrator

Council report through Aug 17 - 2023

Inspections performed residential: 8

Inspection in response to complaint: 1

Enforcement actions: 0

Inspections performed multi-family / commercial: 12

Enforcement actions : 0

Permits issued since last council report:

1_ new residential building.

0_ residential repair/remodel

0_ residential demolition

0_ new commercial buildings permitted.

1_ commercial or multifamily repair/remodel permitted.

0_ demolition commercial permitted.

3_ Projects currently in application or submission review.

0_ Commercial project currently pending submission.

2_ Residential projects currently pending submission.

Narrative of other activities:

1. Update of the Non-Federal Lands Grant. Work plan is complete with mapping and additional edits. The work plan is submitted to State Forestry for legal and proposal review which is continuing from prior due to amendments. Expectation is early Sept. for launch.

Planning & Community Development Department
Monthly Report to the Village Council
August 2023

Projects Updates and Key Initiatives:

Twining Road Reconstruction Project – Intermediate (60%) engineering and design completed. Field survey confirmed that no additional Right-of-Way acquisition is required and all improvements are contained within the existing 30 ft. ROW. Final design work is on-going and anticipated to be completed Fall 2023. A Community Open House is planned for late September to share 90% complete design plans and gather public input.

Requests to obtain temporary construction easements are being prepared and will be delivered to affected property owners once construction funds have been duly obtained.

In collaboration with the NCNMEDD, a federal RAISE grant application was recently submitted to fund in entirety the approx. \$10.2M cost to construct. The Village was notified in early July that it was not selected during this funding cycle. However, the US DOT rated the project as a 'Project of Merit' and highly qualified and encouraged the Village to re-submit in the next FY. A grant de-brief with federal officials, specific to the Village's request, is pending in mid-Fall.

Development Impact Fee Assessments - The DIF assessments for new construction permits this period are estimated to be \$110,000 +/-.

Village Recreational Trails - In partnership with the Rocky Mountain Youth Corps (RMYC), a Trails Plus grant has been awarded by the NM State Outdoor Recreation Division for development of five Village trail segments with linkages to adjacent established US Forest Service trails. Trail improvements began on June 20 and will continue throughout the summer and Fall. Work is complete on the 'Connector Trail', which awaits USFS approval to install the bridge across the Rio Hondo to the Bull-of-the Woods Road Trail. Picnic tables, wayfinding signs, and an environmental education kiosk adjacent to the Kachina wetlands trail are included in the project grant.

Coordination with local and regional partners continues. Development of an integrated Trail Plan has risen in priority after the recent award of the trail building grant from the State Outdoor Recreation Division. The intent is to coordinate present and future trail development and expansion, branding including signage, and funding with key stakeholders such as the USFS, ETCA, Northside Ranch, TSVI, RMYC, and others.

Development Review Permits - Land development related permits currently under review or issued this month include:

- 1 Lot Line Consolidation/Adjustments
- 4 Excavation & Grading Permits
- 3 Certificates of Compatibility
- 1 Administrative Variance

Planning GIS Office - The former GIS contractor, SageGIS, terminated their FY'23 contract early in mid-December. A new RFP has been prepared and is awaiting approval to publish.

Planning Commission Meetings - At the August 7th regular meeting, Commissioner terms were determined by lots. Three Commissioners will serve four year terms and three Commissioners will serve six years terms, per last year's adopted update to Ordinance 22-70.

PUBLIC WORKS UPDATE

August 28, 2023

Water:

- Monthly sampling
- Annual Sampling with New Mexico Environment Department (NMED)
 - TTHM
 - HAA5
- Maintenance and Repairs
- Water Repairs.
 - Residence on Porcupine Road and Upper Twining
 - Removed outside meter vault (cause of frozen line for the each household).
 - Troubleshooting pressure zones for leaks
 - Possible areas have turned up no leaks using new leak locator equipment.
 - Working with outside contractors to locate additional areas of concern, will be getting report soon.

Wastewater:

- Plant Operations
 - No Permit excursions.

Date	BOD Data		pH	TSS		NH ₃ (Ammonia)		Total P		Flow, MGD	E.Coli	Fecal	Date	Total N: mg/L		Total N: lb/d		Influ MG
	mg/L	lb/d		mg/L	lb/d	mg/L	lb/d	mg/L	lb/d	Daily	CFU	CFU		TKN + NO3 + NO2	TKN + NO3 + NO2	TKN + NO3 + NO2	TKN + NO3 + NO2	
5	2.00	1.03	7.03	0.73	0.37	0.42	0.22	0.05	0.03	0.062	1.00	1.00	5	3.27		1.68		
19			6.89							0.056	1.00	1.00	19	0.00		0.00		
Total		1.03			0.37		0.22		0.03	1.842			Total	Total Nitrogen				
7 Day Avg (MAX)	2.00	1.03	7.03	0.73	0.37	0.42	0.22	0.05	0.03	0.063	1.00	1.00	7 Day Avg	3.27		1.68		
Min	2.00	1.03	6.64	0.73	0.37	0.42	0.22	0.05	0.03	0.052	1.00	1.00	Min	mg/L		lb/d		
30 Day Avg (AVG)	2.00	1.03		0.73	0.37	0.42	0.22	0.05	0.03	0.059	1.00	1.00	30 Day Avg	3.27		1.68		0.0
Removal %		98.63%		99.81%														
Frequency	BOD Data		pH	TSS		NH ₃		Total P		Flow, MGD	E.Coli	Fecal						
	45 / 35.7%	146.00	98.63%	377.50	99.81%	3.20	5.34	2.25	1.80					24.9		41.6		
	30 / 23.9%					3.20	5.34	1.50	1.200	DMR Data				16.60		27.70		

- Plant and Collections Update
 - Compared to the flow in 2022, we are up 46.88% for the month of June.
 - Maintenance on Sanitary Sewer lines
 - Approximately 80% of the lines have been cleaned.

Roads:

- Maintenance to Road
- Waiting for availability for the Soil Stabilizer for the roads (focus was on leak detection and repairs)
- Documenting utility assets using new software.
 - Pointman software gives the staff the ability to locate mainline and resident valves within a couple of feet even without the use of satellite feeds.
 - Staff will continue to expose the water system valves for data collection.

Equipment

- Routine equipment maintenance

DMR Copy of Record

Permit Permit #: NW0022101 Major: Yes		Permittee: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD TAOS SKI VALLEY, NM 87525		Facility: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD TAOS SKI VALLEY, NM 87525	
Permitted Feature: 001 External Outfall		Discharge: 001-A TREATED MUNICIPAL WASTEWATER TO THE RIO HONDO			
Report Dates & Status Monitoring Period: From 07/01/23 to 07/31/23 Considerations for Form Completion		DMR Due Date: 08/15/23		Status: NetDMR Validated	
Principal Executive Officer First Name: Anthony Last Name: Martinez No Data Indicator (NODI)		Title: Public Works Director		Telephone: 575-776-4620	

Code	Parameter Name	Monitoring Location	Season #	Param. NODI	Qualifier	Value 1	Qualifier	Value 2	Units	Qualifier	Value 1	Qualifier	Value 2	Qualifier	Value 3	Units	# of Ex.	Frequency of Analysis	Sample Type
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	1		Sample = 1.03 Permit Req. Value NODI	23.8 30DA AVG	1.03	35.77 DA AVG	26 - lb/d	2.0	30.0 30DA AVG	2.0	45.07 DA AVG	19 - mg/L	0	0	01/30 - Monthly	24 - COMP24	
00400	pH	1 - Effluent Gross	0		Sample = 6.64 Permit Req. Value NODI	6.6 MINIMUM	7.03	8.8 MAXIMUM	12 - SU	0	0	0	0	12 - SU	0	0	05/30 - 5 Days Every Week	GR - GRAB	
00530	Solids, total suspended	1 - Effluent Gross	1		Sample = 0.37 Permit Req. Value NODI	23.8 30DA AVG	0.37	35.77 DA AVG	26 - lb/d	0.73	30.0 30DA AVG	0.73	45.07 DA AVG	19 - mg/L	0	0	01/30 - Monthly	24 - COMP24	
00600	Nitrogen, total [as N]	1 - Effluent Gross	2		Sample = 1.68 Permit Req. Value NODI	27.7 30DA AVG	1.68	41.67 DA AVG	26 - lb/d	3.27	16.6 30DA AVG	3.27	24.97 DA AVG	19 - mg/L	0	0	01/30 - Monthly	24 - COMP24	
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	1		Sample = 0.22 Permit Req. Value NODI	5.34 30DA AVG	0.22	5.347 DA AVG	26 - lb/d	0.42	3.2 30DA AVG	0.42	32.7 DA AVG	19 - mg/L	0	0	01/30 - Monthly	24 - COMP24	
00665	Phosphorus, total [as P]	1 - Effluent Gross	2		Sample = 0.03 Permit Req. Value NODI	1.2 30DA AVG	0.03	1.87 DA AVG	26 - lb/d	0.05	1.5 30DA AVG	0.05	2.257 DA AVG	19 - mg/L	0	0	01/30 - Monthly	24 - COMP24	
50050	Flow, in conduit or thru treatment plant	1 - Effluent Gross	0		Sample = 0.059 Permit Req. Value NODI	0.059	0.06	0.063	03 - MGD	0	0	0	0	03 - MGD	0	0	01/01 - Daily	TM - TOTALZ	
50060	Chlorine, total residual	1 - Effluent Gross	0		Sample = 19.0 INST MAX Permit Req. Value NODI	19.0 INST MAX	19.0	235.0 DAILY MAX	28 - ug/L	0	0	0	0	28 - ug/L	0	0	05/30 - 5 Days Every Week	GR - GRAB	
51040	E. coli	1 - Effluent Gross	0		Sample = 32 Permit Req. Value NODI	32	126.0 30DAVGE0	235.0 DAILY MAX	32 - CFU/100mL	0	0	0	0	32 - CFU/100mL	0	0	02/30 - Twice Per Month	GR - GRAB	

Village Clerk Report

Clerk Ann Marie Wooldridge

Council 8-22-23 Meeting

November 7, 2023 Regular Local Election

1. Candidate Declaration Day August 29, 2023 9 am to 5 pm at office of the Taos County Clerk, 105 Albright Street, Suite D. Taos NM 87571
2. Village of Taos Ski Valley positions on the ballot for the November 7, 2023 Election:
 - One Village Mayor for a four-year term
 - Two Village Councilors for four-year terms
 - Two Village TIDD Board Members for four-year terms
3. Declaration sheet attached and available at the Taos County Clerk's Office. Written Authorization for Designation form to be filled out and delivered to Taos County Clerk on August 29, 2023 by a designee if candidate cannot appear in person on August 29, 2023, along with candidate declaration form.
4. Must be a registered voter in the Village of Taos Ski Valley and must have been registered by August 9, 2023.

Roster of Registered Voters

1. At a citizen's request Clerk Wooldridge pursued inquiries at the NM Office of the Attorney General and the NM Office of the Secretary of State requesting a thorough review of the Village's voter roster.
2. Reply from the Office of the Attorney General: "Ms. Wooldridge, The Office of Attorney General received your complaint dated June 16, 2023. In sum, the complaint relates that a concerned citizen wanted this Office to poll voters on the Taos Ski Valley voter roll to determine if any are ineligible to vote.
Election law compliance issues such as this are generally within the purview of the Office of Secretary of State, and should be referred to that Office, not to the Office of the Attorney General. Because this complaint does not relate to Open Meetings Act or IPRA compliance, we will close this matter. "
3. Reply from the Office of the Secretary of State confirmed that the Secretary of State takes very seriously any allegations of voter fraud or improprieties. Provisions are in place for ongoing review of voting rolls. All new voter registrations are thoroughly reviewed for accuracy. No duplicate registrations are allowed so there is assurance that voting in two different locations is not allowed. "No violations have been made in the Village of Taos Ski Valley voter registrations" was their final statement.



STATE OF NEW MEXICO
MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

2023 REGULAR LOCAL ELECTION

DECLARATION OF CANDIDACY – STATEMENT OF INTENT

I, _____, being first duly sworn, say that I am a voter of the county
(candidate's name on certificate of registration)
of _____, State of New Mexico. I reside at _____,
(candidate's county of registration) (candidate's address as registered),
and was registered to vote at that place on the date of the proclamation calling this election;
I reside within and am registered to vote in the area to be elected to represent;
I desire to become a candidate for the office of _____ at the
(office sought, including district or division #, if applicable)
regular local election to be held in November of the year this declaration is filed;
I will be eligible and legally qualified to hold this office at the beginning of its term; and
I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a
felony punishable under the criminal laws of New Mexico.

Signature of Declarant

Mailing Address

Residence Address

Email Address

Phone Number

State of: _____

County of: _____

Signed and sworn to (or affirmed) before me on the _____, 2023,
by _____.

Signature of notarial officer

Title



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

2023 REGULAR LOCAL ELECTION WRITTEN AUTHORIZATION FOR DESIGNATION

I desire to become a candidate for the office of _____ in the
Regular Local Election to be held on **Tuesday, November 7, 2023.**

I certify that I am not able to personally deliver my Declaration of Candidacy and all other
associated documents to my local county clerk's office, as applicable, for filing purposes.

Pursuant to NMSA 1978, § 1-22-7(D), I designate the following individual to act solely on
my behalf for the purpose of filing my Declaration of Candidacy and any other associated
documents required:

Name of Designee (printed)

Address of Designee

Signed and authorized by:

Candidate Signature

Candidate Name (printed)

Mailing Address

Residence Address

VILLAGE OF TAOS SKI VALLEY

Village Council

Agenda Item

AGENDA ITEM TITLE: Consideration to Adopt Ordinance No. 2024-30, an Ordinance Amending section 7, subsection 6, ‘Avalanche Design Requirements’ of Ordinance No. 2022-30, as Amended; adopting Snow Avalanche Hazard Maps for the Village; adopting regulations for new land development and building reconstruction in designated avalanche hazard zones; prohibiting new construction that adversely affects avalanche safety on other properties in the Village

DATE: August 22, 2023

PRESENTED BY: Patrick Nicholson, Planning & Community Development Director

STATUS OF AGENDA ITEM: Old business

CAN THIS ITEM BE RESCHEDULED: If necessary

BACKGROUND INFORMATION: A new Snow Avalanche Hazard Analysis and Mapping Report was undertaken to update the potential danger the community faces, and to recommend proactive protective measures. After extensive internal delays in procuring services and contracting, Wilbur Engineering, Inc. completed their report. The report provides a detailed review and update to the Village’s avalanche hazard maps and informs the updated avalanche hazard zoning ordinance. The current avalanche hazard maps, which were never incorporated into the Planning Ordinance, are based on a 2001 Study by Arthur I. Mears, P.E. Since 2001, notable advances in avalanche science and new snow and avalanche data have led to improvements in the Village’s understanding and better land use regulations to protect the public’s health, safety, and welfare.

The proposed ordinance section revision generally restates and codifies existing practice and regulations. Staff wanted to provide more clarity and expectations for builders and developers earlier in the process and update the maps to reflect current science and data. As presently composed, there is some flexibility built into all zones (minus the most threatened Red Zone) through approved and engineer stamped mitigation and design measures.

The updated report was presented to the Village Planning Commission on May 1, 2023 and finalized on August 14, 2023 after a delay requested by TSVI. The Commission recommended approval by the Village Council. Their recommendations and Councilors’ have been incorporated into the Avalanche Section of Ordinance 2024-30. The newly updated Ordinance is included in the meeting packets. Adoption of the Ordinance was tabled at the June 27 Council meeting pending additional input from the Ski Corporation, which subsequently has been provided.

RECOMMENDATION: Staff recommends consideration to adopt Ordinance No. 2024-30, pending the required Public Hearing.

VILLAGE OF TAOS SKI VALLEY

ORDINANCE NO. 2024-30

AN ORDINANCE AMENDING SECTION 7, SUBSECTION 6, “AVALANCHE DESIGN REQUIREMENTS,” OF ORDINANCE NO. 22-030, AS AMENDED; ADOPTING SNOW AVALANCHE HAZARD MAPS FOR THE VILLAGE; ADOPTING REGULATIONS FOR NEW LAND DEVELOPMENT AND BUILDING RECONSTRUCTION IN DESIGNATED AVALANCHE HAZARD ZONES; PROHIBITING NEW CONSTRUCTION THAT ADVERSELY AFFECTS AVALANCHE SAFETY ON OTHER PROPERTIES IN THE VILLAGE.

WHEREAS, the Village of Taos Ski Valley (the “Village”) is located in a high mountain valley at the foot of steep slopes on which avalanches are known to occur frequently due to winter snow accumulations; and

WHEREAS, snow avalanches have the potential for significant loss of life and damage to property, both on the slopes where they originate and at the foot of the slopes where the snow comes to rest; and

WHEREAS, while the risks to life, structures and property cannot be entirely eliminated, it is incumbent on the Village and property owners within the Village to minimize such risks to the extent possible based on professional analysis of avalanche hazard areas and appropriate limitations on the design and construction of improvements and the activities of persons within the areas of known or predicted avalanche hazard; and

WHEREAS, the Village has therefore caused the creation of a 2023 Snow Avalanche Hazard Analysis and Mapping Report prepared by Wilbur Engineering, Inc. and reviewed by Arthur I. Mears, P.E., Inc. to provide recommendations and guidance to the Village in addressing avalanche hazards; and

WHEREAS, the Village Council, the governing body of the Village, finds that the 2023 Snow Avalanche Hazard Analysis and Mapping Report and, in particular, the Snow Avalanche Hazard Maps contained therein should be adopted by the Village and that the recommendations contained therein should be implemented to the extent feasible without impairment of property values or diminution of the aesthetic and scenic values that are integral to the enjoyment of high-altitude geography and snow climate including a world-renowned ski resort dependent on the winter snowfalls that occur in the Village and the surrounding mountains.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL, THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY, THAT:

Section 7, Subsection 6 of Village Ordinance No. 22-030, as amended, is amended to read, in its entirety, as follows:

6. Avalanche Safety and Design Requirements

1. The Village adopts by reference the 2023 Snow Avalanche Hazard Maps developed and detailed in the 2023 Snow Avalanche Hazard Analysis and Mapping Report by Wilbur Engineering, Inc.
2. The following regulations shall apply to all new land development or building reconstruction and/or expansion within the Village municipal limits:
 - a. No structures intended for human occupancy shall be constructed in High Hazard (Red) Avalanche Hazard Zones.
 - b. Structures constructed in Moderate Hazard (Blue) Avalanche Hazard Zone are allowed with approved mitigating measures.
 - c. Structures constructed in the Low Hazard (Yellow) Zone are allowed with approved design considerations.
 - d. No critical structures should be constructed in the Moderate Hazard (Blue) Avalanche Hazard Zone. Critical structures include all facilities where temporary emergency access restrictions are unacceptable, including facilities such as police, fire, ambulance, medical clinics, hospitals, shelters, and schools.
 - e. No high-occupancy structures should be constructed in the Moderate Hazard (Blue) Avalanche Hazard Zone unless they are designed to withstand avalanche impact and static loads with approved mitigating measures and certified by a licensed structural engineer. High-occupancy structures include hotels, apartments, condominiums, restaurants, community facilities, and structures expected to have more than twenty five (25) occupants at a given time.
 - f. Any residential or commercial structures that are constructed in the Moderate Hazard (Blue) Avalanche Hazard Zones should be located as low as practical in the Avalanche Hazard Zone and designed to withstand avalanche impact and static loads. Anticipated avalanche loads shall be determined by application of appropriate engineering methods based on the location, geometry and orientation of the structures.
 - g. Structures in the Low Hazard (Yellow) Avalanche Hazard Zone should be designed to mitigate any expected avalanche impacts. Avalanche impacts shall be determined at the time of application and in accordance with applicable snow characteristics and approved engineering design.
 - h. Site plans and architectural designs in all Avalanche Hazard Zones shall address avalanche hazards. Building access, parking, entries, public plazas, and outdoor living spaces, especially hot tubs and heated outdoor spaces, should be placed in protected areas away from the avalanche-facing side of the building. Commercial facilities and high-occupancy structures in all Avalanche Hazard Zones must have an approved avalanche warning system in place. Windows and doors in all Avalanche Hazard Zones on the uphill side should be avoided or designed to withstand avalanche impact.

- i. All utilities in all Avalanche Hazard Zones should be buried. Gas, water and electrical lines, utility meters and fire hydrants in avalanche zones should be protected to prevent damage.
 - j. Compliance with the standards and recommendations set forth in this ordinance shall not be deemed to guarantee public safety. It is possible to achieve a high level of avalanche protection for building occupants inside specially designed, reinforced buildings, but people, pets, and property outside will not be protected. Therefore, it is prudent for occupants and guests of commercial and residential buildings in and near Avalanche Hazard Zones to become educated and keep current on local avalanche conditions, including the local and regional avalanche danger forecasts. However, reliance upon forecasts and avoiding Avalanche Hazard Zones during elevated avalanche danger conditions can reduce, but not eliminate avalanche risk.
3. Prior to the Village issuing a building permit for the construction of a new, remodeled, or expanded freestanding building to be occupied by one or more persons, all applicants must provide the following to the Village for review by the Planning Officer:
 - a. A written report analyzing the potential avalanche hazards, drawn from the adopted Snow Avalanche Hazard Maps, and the potential physical forces, if any, created thereby upon the proposed improvement or structure, and
 - b. If a snow avalanche hazard exists, a structural analysis of the proposed building or structure is required to be prepared and stamped/sealed by a New Mexico licensed structural engineer reflecting an engineering analysis of the design. The stamped structural analysis must state that the design of the building or structure can withstand the expected potential force from an avalanche for the hazard zone therein, as set forth in the avalanche report referred above and as noted elsewhere in this Ordinance.
 - c. The issuance of a building permit by the Village shall not be construed to mean that the Village agrees or warrants that the proposed building or structure will withstand an avalanche.
4. All new construction and any avalanche hazard mitigating measures shall not adversely impact avalanche hazards on other properties, whether adjacent, downslope, or elsewhere, including public roads and utilities.
5. Avalanche Hazard Zones should be reviewed and adjusted periodically based on analyses by a qualified avalanche professional, especially following any significant changes to the forest or terrain due to fire, fire mitigation measures, or other weather-related events. Afterwards, amendments to the avalanche maps may be adopted by ordinance.

SEVERABILITY CLAUSE: Should any section, paragraph, clause, or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Taos Ski Valley hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word, or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words, or phrases being declared unconstitutional or otherwise invalid.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication, and posting, according to law.

PASSED, APPROVED AND ADOPTED THE ____ DAY OF _____, 2023, BY THE VILLAGE COUNCIL OF THE VILLAGE OF TAOS SKI VALLEY, NEW MEXICO.

Tom Wittman, Mayor Pro Tem

ATTEST:

Ann Marie Wooldridge
Village Clerk

**SNOW AVALANCHE
HAZARD ANALYSIS
AND MAPPING**

for

**THE VILLAGE OF TAOS SKI VALLEY
TAOS COUNTY, NEW MEXICO, USA**

Prepared for:

Village of Taos Ski Valley
PO Box 100
Taos Ski Valley, NM 87525

Prepared by:

Wilbur Engineering, Inc.
Durango, Colorado

Reviewed by:

Arthur I. Mears, P.E., Inc.
Gunnison, Colorado

August 14, 2023

August 14, 2023

Patrick Nicholson
Planning Director
Village of Taos Ski Valley
PO Box 100
Taos Ski Valley, NM 87525
Via email

RE: Avalanche Hazard Mapping and Recommendations
The Village of Taos Ski Valley, New Mexico

Dear Mr. Nicholson:

We are pleased to present this Avalanche Hazard Report and Maps. The mapping builds on previous work and incorporates new data, methods and research to improve the quality of maps compared to the village's existing Avalanche Hazard Maps prepared by Arthur I. Mears, P.E., Inc. in 2001. We have considered comments on our preliminary report and maps from the public, local avalanche professionals and staff at Taos Ski Valley, Inc. (TSVI). Specific changes made to our April 14, 2023 Draft Maps include:

- We have considered fire mitigation forest thinning on permitted USFS lands based on information provided by TSVI. This resulted in changes to mapping of the "Minnesotas" avalanche paths (Path #26).
- We have added street names to the maps.
- We have distinguished between avalanches that originate in-bounds and may be controlled by TSVI using various methods of snow compaction and intentional artificial triggering of avalanches from avalanches originating out-of-bounds.

We have enjoyed working with you and other community members on this important project. If you have any questions, please contact us.

Sincerely,
Wilbur Engineering, Inc.



Chris Wilbur, P.E.
New Mexico license #14901

Arthur I. Mears, P.E., Inc.



Art Mears, P.E. (Colorado)

Contents

1.	Background	1
2.	Objectives.....	2
3.	Limitations	2
4.	Methods.....	3
5.	Snow Climate	3
6.	Avalanche Terrain	4
7.	Statistical Avalanche Runout Models	7
8.	Forest Conditions	8
9.	Avalanche Dynamics Modeling	14
10.	Findings.....	16
11.	Uncertainties	17
12.	Avalanche Risk.....	18
13.	Recommendations	19
14.	References.....	22
15.	Warranty.....	23

List of Figures

Figure 1 – Site Location	1
Figure 2 – Slope Map	5
Figure 3 – Aspect Map	6
Figure 4 – 1962 Arial Image of Trim Line near Jean’s Meadow	7
Figure 5 – Avalanche Profiles and Locations	8
Figure 6 – Historic Photo of Mineslide and Northside Area	9
Figure 7 – Rio Grande Water Fund - Fuel Treatment 2018.....	10
Figure 8 – Kachina Basin Fire Mitigation Area	11
Figure 9 – Map of December 2021 Severe Blowdown Area.....	11
Figure 10 – Photo of December 2021 Blowdown Area.....	12
Figure 11 – Frontside Canopy Height.....	13
Figure 12 – Northside 1962 Path and Adjacent Areas Canopy Height.....	14
Figure 13 – Representative RAMMS Model Results	15
Figure 14 – Bavarian Path Powder Pressure from RAMMS:Extended Model	16
Figure 14 – Minimum Conifer Densities vs. Slope for Avalanche Protection.....	22

Avalanche Hazard Maps

Index Map

Map 1 – Amizette & Frontside

Avalanche Hazard Assessment
Village of Taos Ski Valley
Taos Ski Valley, New Mexico

Wilbur Engineering, Inc.
Arthur I. Mears, P.E., Inc.
August 14, 2023

Map 2 – Lower Twining Road
Map 3 – Upper Twining Road
Map 4 – Northside
Map 5 – Kachina Basin
Map 6 – Comparison of 2001 and 2023 Maps

Appendixes

- A. Climate Data
- B. Site Photos
- C. RAMMS Parameters & Results

1. Background

This report describes an updated avalanche hazard mapping study for the Village of Taos Ski Valley. An avalanche hazard map was prepared in February 2001 (Ref. 1). Since that time, additional data on climate and avalanches have become available, methods have advanced, and new terrain and aerial imagery have become available. Figure 1 shows a site location map.

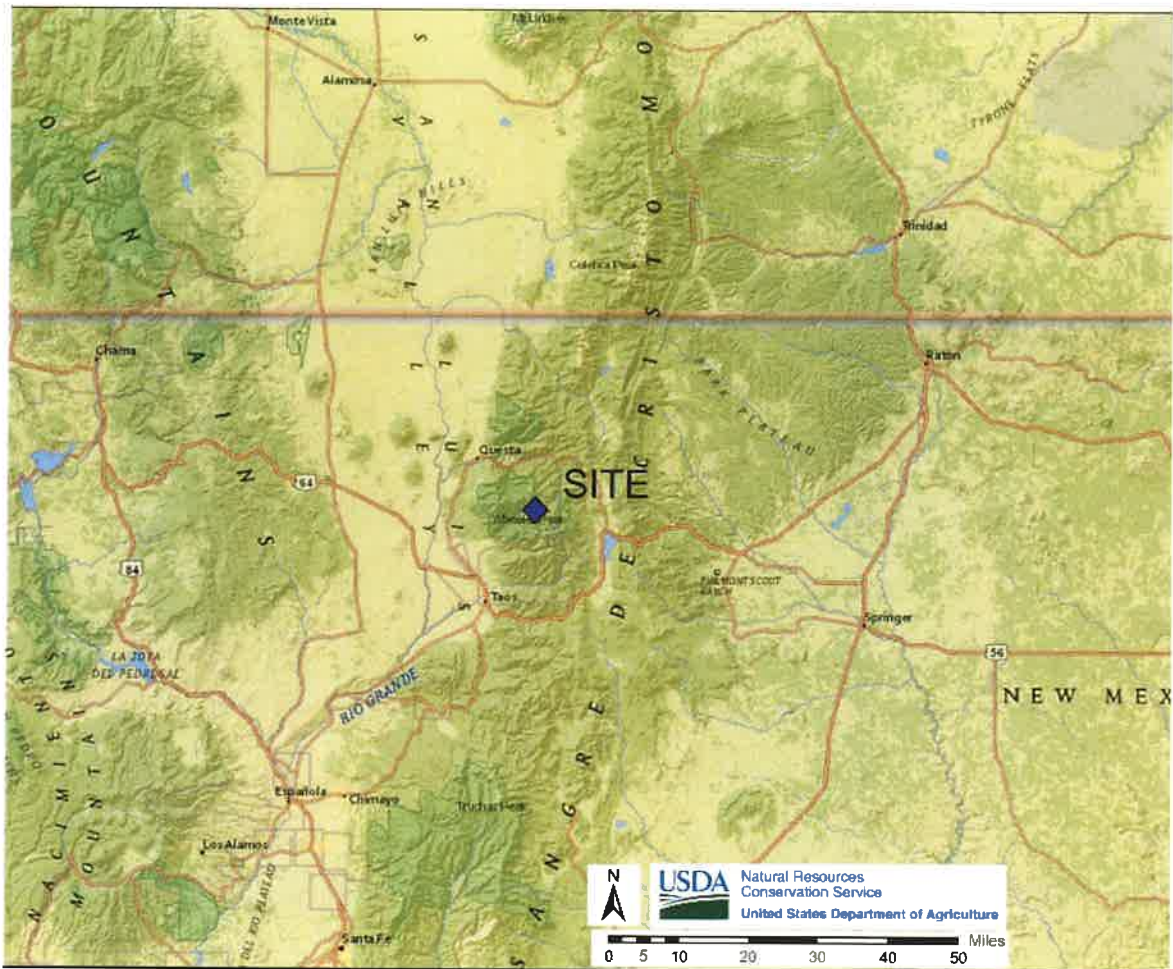


Figure 1 – Site Location

2. Objectives

This report has the following **objectives**:

1. Describe the regional snow and avalanche climate.
2. Determine the runout limits of snow avalanches with average return periods of 100-years and 300-years or annual exceedance probabilities of 1.0 percent and 0.3-percent;
3. Describe methods used to develop the Avalanche Hazard Map.
4. Delineate Avalanche Zones as defined in this report.
 - a. High Hazard (Red) – frequent or high energy¹ avalanches zones.
 - b. Moderate Hazard (Blue) – low frequency and low-medium energy².
 - c. Low Hazard (Yellow) – areas subject to low probability/low energy dense flowing avalanches or medium-frequency/low energy powder avalanche impacts³.
5. Describe avalanche risks in relation to the land use, along with uncertainties, and recommendations for mitigating avalanches hazards within and near the defined hazard zones.
6. Provide information and guidance on the existing avalanche ordinance and potential future revisions.

3. Limitations

This report also has the following **limitations**, which must be understood by all those relying on the results, conclusions, and recommendations:

1. The Avalanche Hazard Maps are intended to guide land use planning and community awareness of potential avalanche hazard areas. They are not intended for assessing individual sites.
2. Avalanches larger than the mapped avalanche runouts are possible, even though the probabilities are low.
3. The avalanche hazard assessment is based on current forest and climatic conditions. Changes in forest cover and/or climatic conditions could increase or decrease the avalanche hazard.

¹ The *Red Zone* is an area where avalanches have a return period of 30 years or less or produce impact pressures of 600 lbs/ft² or greater on a flat surface normal to flow.

² The *Blue Zone* is defined as an area where avalanches have a return period ranging from 30 to 100 years (3% to 1.0% annual probability) and where avalanches produce impact pressures of less than 600 lbs/ft² on a flat surface normal to flow.

³ The *Yellow Zone* is defined as an area where avalanches have estimated average return periods between 100 and 300-years and powder pressures are less than 60 psf.

4. This study is site and time specific. It should not be applied to lands outside of the current village limits nor should it be relied upon without updating in the future when additional data and improved methods become available.
5. The effects of ongoing and future fire mitigation efforts on avalanche hazards are difficult to quantify and will depend on the specific mitigation measures and site conditions and are not considered in this study.
6. Site specific avalanche mitigation of structures including buildings, roads, and parking areas are beyond the scope of this study.
7. This report does not address avalanche risks to persons traveling, working in or recreating in avalanche terrain. It is intended for land-use planning purposes only.

4. Methods

The avalanche hazard mapping and recommendations presented in this report are based on:

1. Site observations made by Chris Wilbur, P.E. on September 15 and 16, 2022 and January 13, March 19, and April 11, 2023.
2. Interviews and email correspondence with knowledgeable persons, including Rachel Moscarella, Kevin Beardsley, Alex Mithoefer (TSVI Snow Safety) and Andy Bond (Taos Avalanche Center).
3. Analysis of aerial photos of various dates and sources (Village of Taos Ski Valley GIS, Taos Ski Valley, Inc., USGS, NAIP, Google Earth, Bing);
4. Review of historic weather data, including the Poco Gusto site from Taos Ski Valley, Inc., NRCS Powderhorn SNOTEL, and Taos Municipal Airport.
5. Terrain analysis using 2015 LiDAR data from the USGS National Map.
6. Application of statistical avalanche runout models.
7. Avalanche dynamic modeling with the Swiss program, RAMMS, Version 1.80 utilizing a digital elevation model (DEM) developed from the LiDAR data.
8. Avalanche dynamic modeling of the suspension component with the Swiss program, RAMMS:Extended, version 2.7.90.
9. A review of published documents on the effects of forests on avalanche processes.
10. Our local and regional knowledge of terrain, climate and avalanche hazards.

5. Snow Climate

The Taos Ski Valley and Sangre de Cristo mountains are characterized by a continental snow climate typical of high elevations in northern New Mexico. Average annual precipitation at the Village of Taos Ski Valley is 20.5 inches and average snowfall is

about 146 inches. Average January low and high temperatures are 4°F and 21°F, respectively. Precipitation generally increases and temperatures decrease at higher elevations. This relatively dry, sunny snow climate commonly has a shallow weak early-season snowpack that can persist throughout the winter and spring. The weak lower snowpack can become overloaded by snow slabs that form during large storms and wind events, resulting in instability and widespread natural and triggered avalanche activity. Wet avalanches are common during springtime warm weather, including after the ski area is closed. Weather and climate data are presented in Appendix A.

6. Avalanche Terrain

Figure 2 shows a slope-angle map derived from the USGS 2015 LiDAR data. Figure 3 shows an aspect map. The orange and red colors on the slope map indicate potential avalanche starting zones. Most avalanche starting zones⁴ have slope angles of between 30 and 45 degrees. Northerly aspects that will accumulate a deeper and colder snowpack than other aspects. Southerly aspects will hold less snow causing surface roughness to reduce the probability and size of avalanches. However, prolonged storms can result in large avalanches on south-facing terrain. Prevailing winds will transport snow onto NE through SE aspects. Less common easterly winds can load starting zones above timberline on the east side of the Lake Fork.

Avalanche tracks⁵ at the site range from gullies to sub-planar slopes. Some of the lower tracks turn abruptly at the main valley. The avalanche runout zones⁶ include relatively steep channels, valley bottoms and debris fans. Many of the runout zones at the site are relatively steep (>10-degrees) because the size of avalanche releases is inhibited by forested starting zones. Exceptions occur above timberline and in disturbed areas such as the Mineslide path.

Figure 4 shows evidence of an undocumented large avalanche at the Northside that destroyed forests at the site in the early 1960s. This avalanche might have occurred during a major avalanche cycle in the southern Rocky Mountains that occurred in late January 1962. An avalanche cycle in the mid-1990s also extended into forested terrain at the southern end of the map area.

⁴ The *Starting Zone* of an avalanche is the area where snow releases, accelerates and increases in mass.

⁵ The *Track* of an avalanche is the area where maximum velocity and mass are attained.

⁶ The *Runout Zone* is the area where avalanches decelerate, deposit and come to a stop.

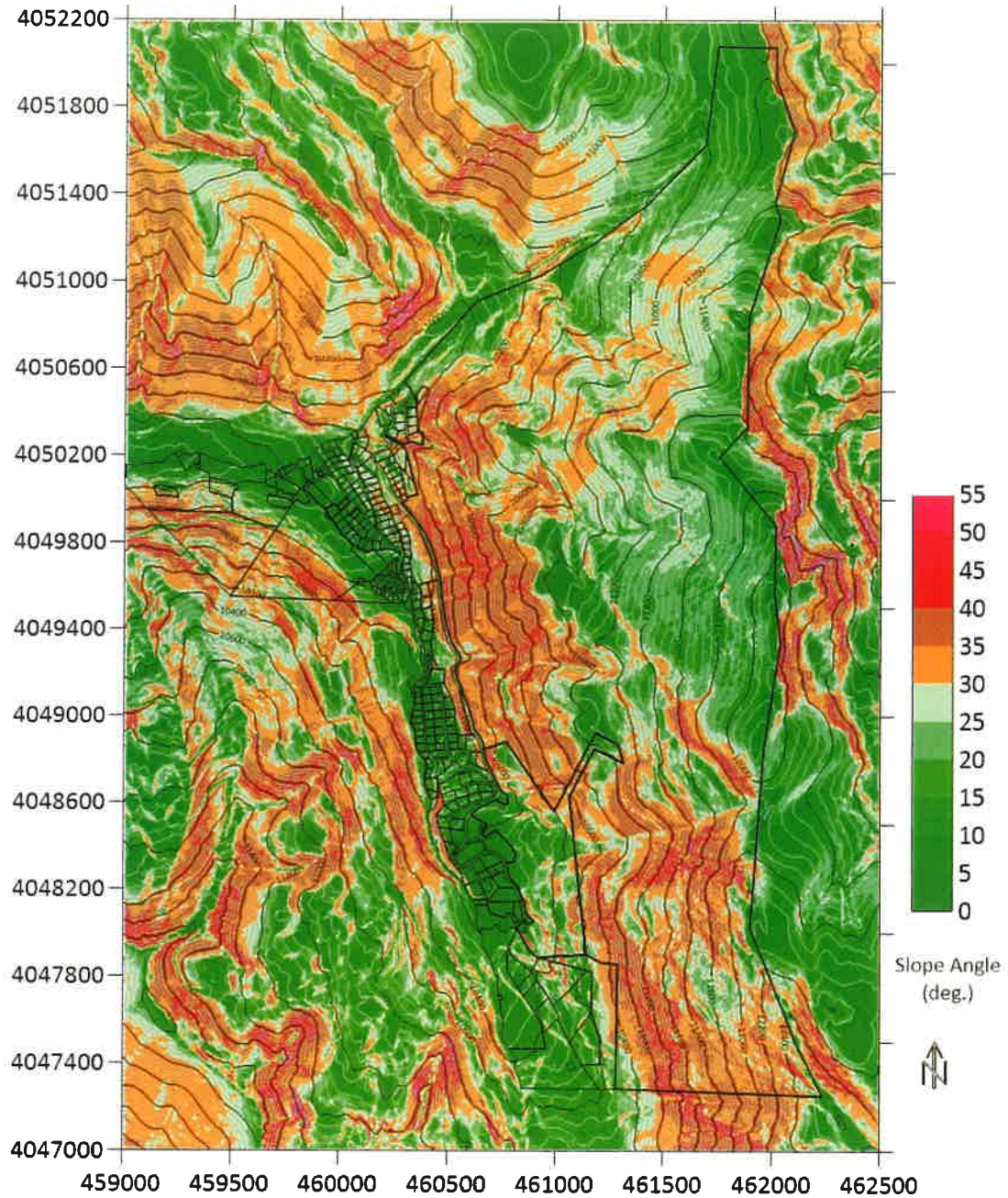


Figure 2 – Slope Map

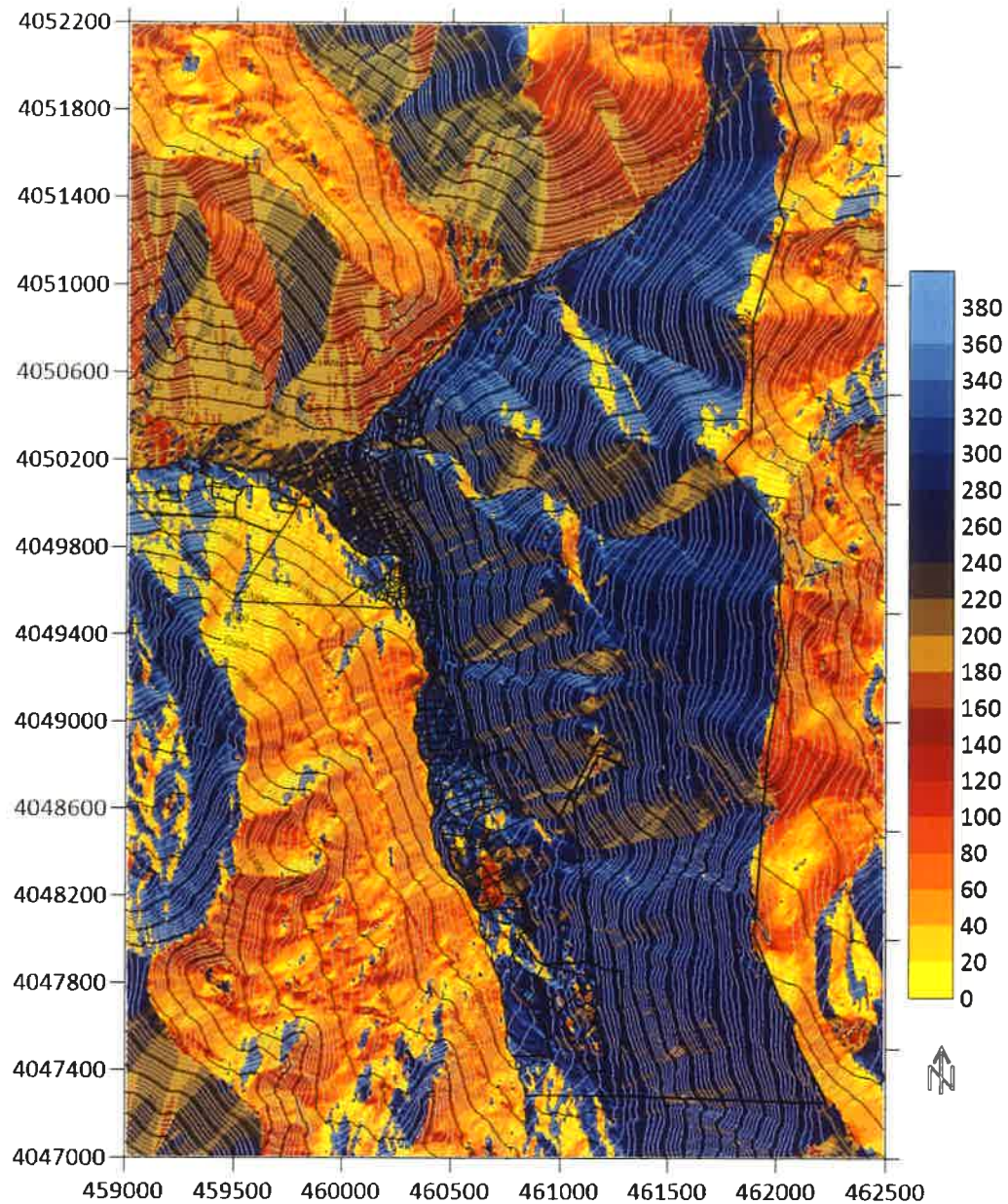


Figure 3 – Aspect Map

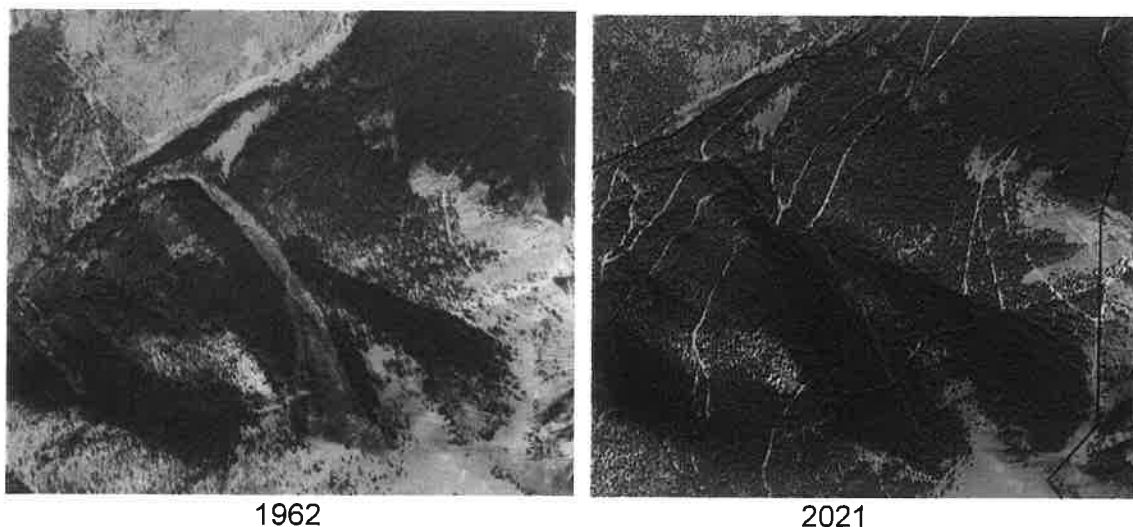


Figure 4 – 1962 Aerial Image of Trim Line near Jean’s Meadow
(Sources: USGS 9-8-1962 Flight, Google Earth, 5-16-2021)

7. Statistical Avalanche Runout Models

We applied statistical avalanche runout models from eight avalanche climates to estimate potential ranges of extreme (100 to 300-year average return periods) avalanche runout distances for selected paths (Ref. 2). These models use a centerline profile of the avalanche path and incorporate the “beta-point” which is the location where the slope angle decreases to 10-degrees. No regional or site-specific models exist for the Taos Ski Valley area, so the statistical models are intended only as a supplemental method to bracket likely ranges of extreme runouts. Figure 5 shows centerline profiles with mapped and modeled runouts of selected avalanche paths.

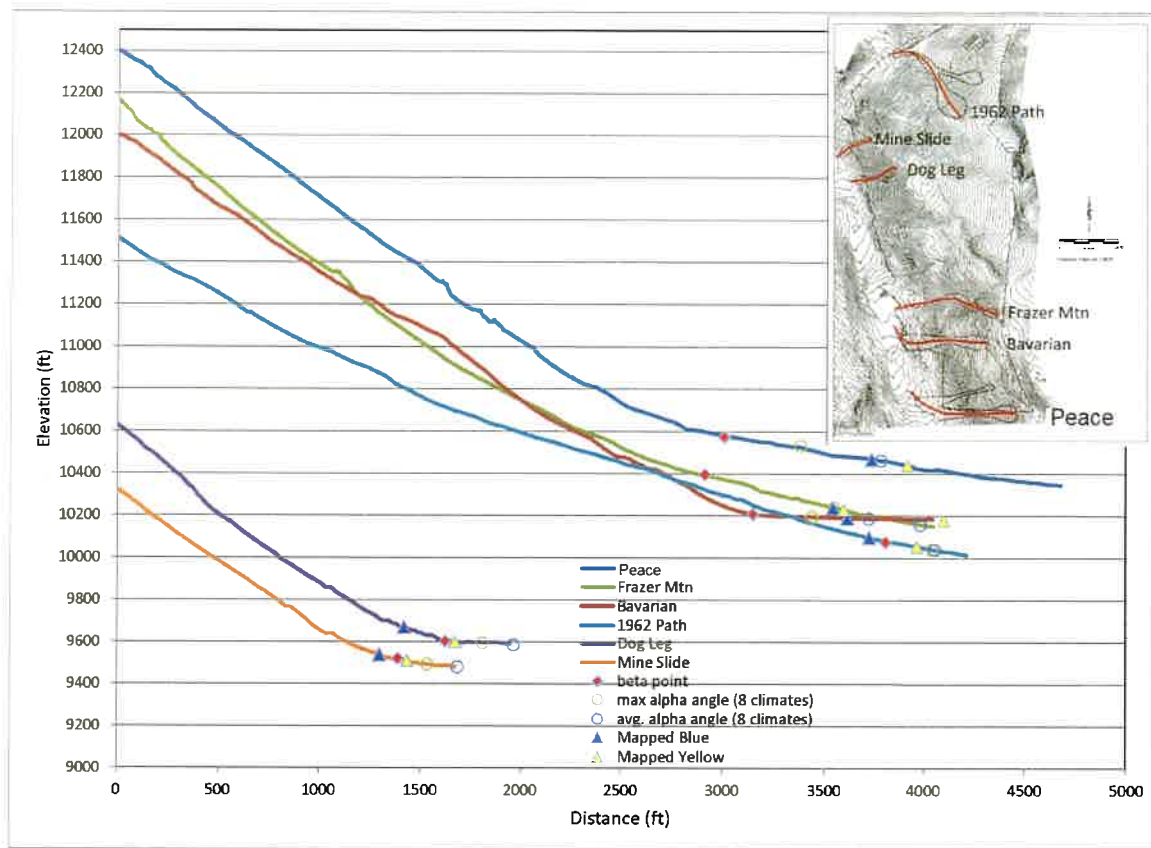


Figure 5 – Avalanche Profiles and Locations

8. Forest Conditions

The role of forests in preventing snow avalanches in steep terrain has long been recognized in Europe where destructive avalanches resulted from tree removal for buildings and firewood. More recently, fires and logging operations in the U.S. and Canada have led to a better understanding of the role of forests in avalanche prevention and mitigation. The following factors have been found to reduce avalanche release frequencies, sizes and runout distances:

1. Tree canopy coverage, especially conifers, influences snow accumulation depth and variability; Tree canopy disrupts snowpack structure and reduces crusts and continuous weak layers; Tree canopy changes snowpack energy balance caused by incoming and outgoing radiation resulting in a generally stronger snowpack;

2. Tree trunks anchor the snowpack in *starting zones* by mechanical resistance to creep, glide and slab failure. This effect is dependent on relatively high density of medium-large trees per acre.
3. Forests in the *track* and *runout zones* have a relatively small effect on runout distance compared to the above factors. The effects of friction and energy dissipation due to forest impacts in avalanche tracks and runout zones generally decrease with increasing avalanche mass.

The combination of factors listed above cause healthy conifer forests to be more effective than deciduous or mixed forests, or snags at preventing avalanche release. A decrease in forest density and canopy coverage can result from several causes, including insect mortality, forest fire, logging and thinning, and blowdown.

The forest fire history of the upper Rio Hondo watershed is described in Ref. 3, including a map of a high-severity fire that impacted much of the site in 1842 during a severe drought. The 1842 fire burned bristlecone pines near timberline. The report includes several historic (~1903) photos indicating severe burn areas at the Northside and the east side of the Lake Fork. Figure 6 shows a historic photo of Twining and the Mineslide path.



Figure 6 – Historic Photo of Mineslide and Northside Area
(Source: USFS interpretive sign, © private photo)

Fire mitigation including thinning and mastication, on private lands and public lands within the ski resort's permit area have been ongoing since 2018. Figure 7 shows fuel Treatment priorities areas, including Amizette, Bull of the Woods, Wild West,

Minnesotas, and Phoenix Springs in Kachina Basin. Figure 8 shows fire mitigation forest thinning areas in the Kachina basin.

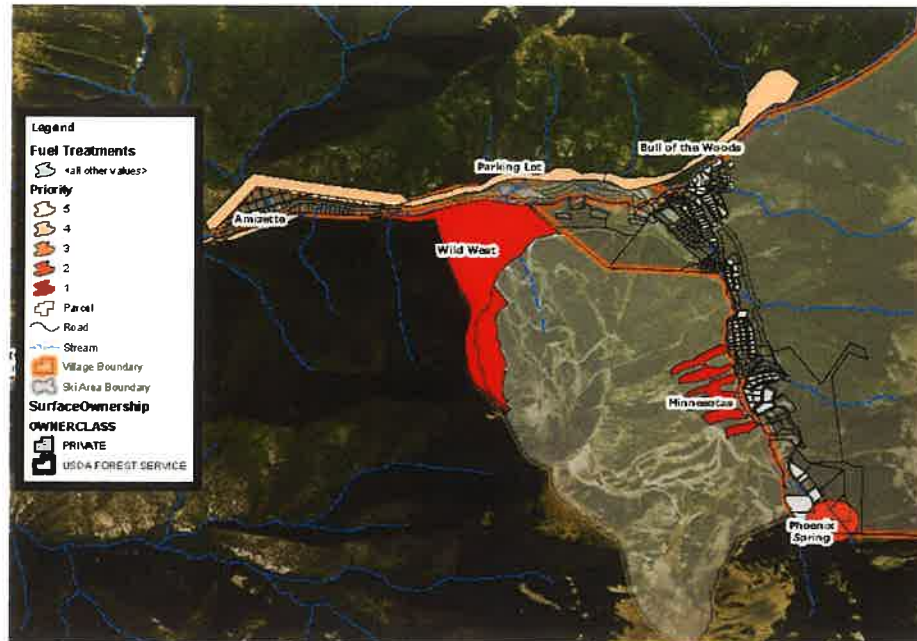


Figure 7 – Rio Grande Water Fund - Fuel Treatment 2018
(excerpt; provided by TSVI)

A major forest blowdown event occurred in mid-December 2021, destroying and damaging numerous buildings in Taos county, resulting a county-wide state of emergency declaration. Thousands of trees were blown down above Twining Road near the Bavarian Restaurant, the Phoenix, Lift 4 and on both sides of the valley up the William's Lake trail. Figure 9 shows a map of the blowdown area near the site. Figure 10 shows a photo of the blowdown area taken in August 2022.



Figure 8 – Kachina Basin Fire Mitigation Area
(Image provided by TSVI)



Figure 9 – Map of December 2021 Severe Blowdown Area
(Source: DEI Report, Ref. 4)

A Forest Management Plan for the Northside at Taos Ski Valley was prepared in 2020 by Dolecek Enterprises Inc. (DEI), Forest Management Specialists (Ref. 4). The plan describes declining forest health over the last 30 years at the Northside at Taos Ski Valley and throughout the Southwest. The Northside at Taos Ski Valley is classified as a very high fire risk, with potential for severe fire intensity on the New Mexico Fire Risk Portal. The DEI Report includes a prescription for the 1962 avalanche path starting zone based on the high basal area (238) and its location above the Bull of the Woods spring.



Figure 10 – Photo of December 2021 Blowdown Area
(Chris Wilbur Photo, August 2022)

We observed areas of thinning during our field observations, including lop and pile in potential avalanche starting zones. Figure 11 shows a forest canopy height from the Frontside derived from 2015 LiDAR data. Figure 12 shows a canopy height map from the Northside. These figures are based on pre-fire mitigation conditions. Additional forest and vegetation photos and their locations are shown in Appendix B.

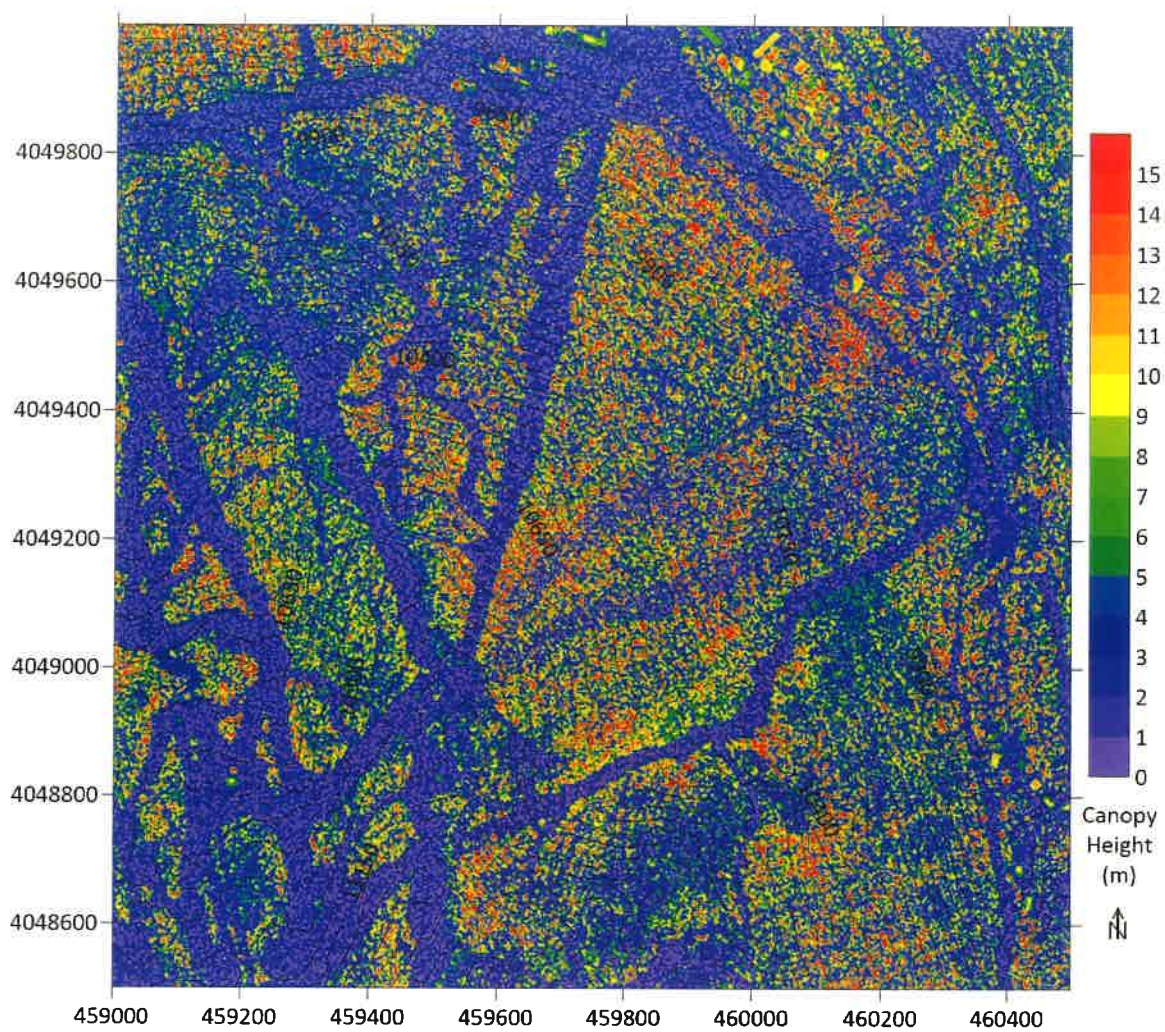


Figure 11 – Frontside Canopy Height
 (derived from 2015 LiDAR data, WGS 84, UTM Zone 13N, 0.5m res. grid)

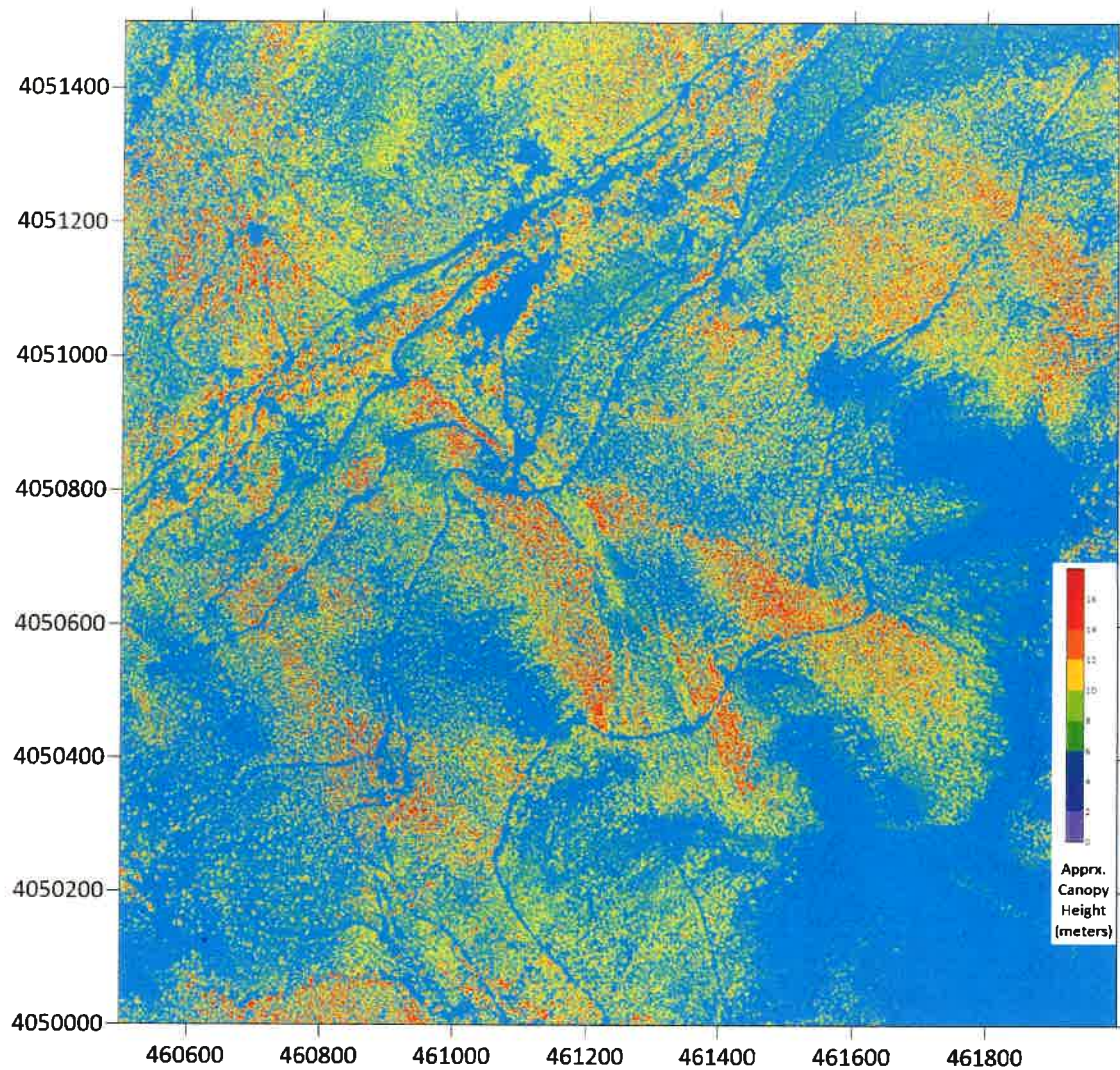


Figure 12 – Northside 1962 Path and Adjacent Areas Canopy Height
(derived from 2015 LiDAR data, WGS 84, UTM Zone 13N, 0.5m res. grid)

9. *Avalanche Dynamics Modeling*

We used the Swiss avalanche dynamics program RAMMS to evaluate flow directions, flow thicknesses, velocities and runouts for the various potential avalanche starting zones and paths. We applied a range of parameters to evaluate sensitivity and the influence of release areas, friction and flow regimes. Friction parameters were based on calibration guidelines provided in the RAMMS Version 1.7.2 User Manual and based on

Avalanche Hazard Assessment
Village of Taos Ski Valley
Taos Ski Valley, New Mexico

Wilbur Engineering, Inc.
Arthur I. Mears, P.E., Inc.
August 14, 2023

elevation, avalanche size, terrain shape and return period. High elevation friction parameters (greater than 1500 meters in Switzerland) were assumed due to relatively dry cold snowpack conditions. We included cohesion and forest friction to improve calibration for small forested paths. The model calibration was based on our experience with other avalanches, including documented historic avalanches at Taos Ski Valley.

Figure 13 shows representative model results for the dense flowing core of the 100-year avalanche. Figure 14 shows representative model results for the suspension component of a 100-year avalanche. Model input assumptions and additional results are presented in Appendix C.

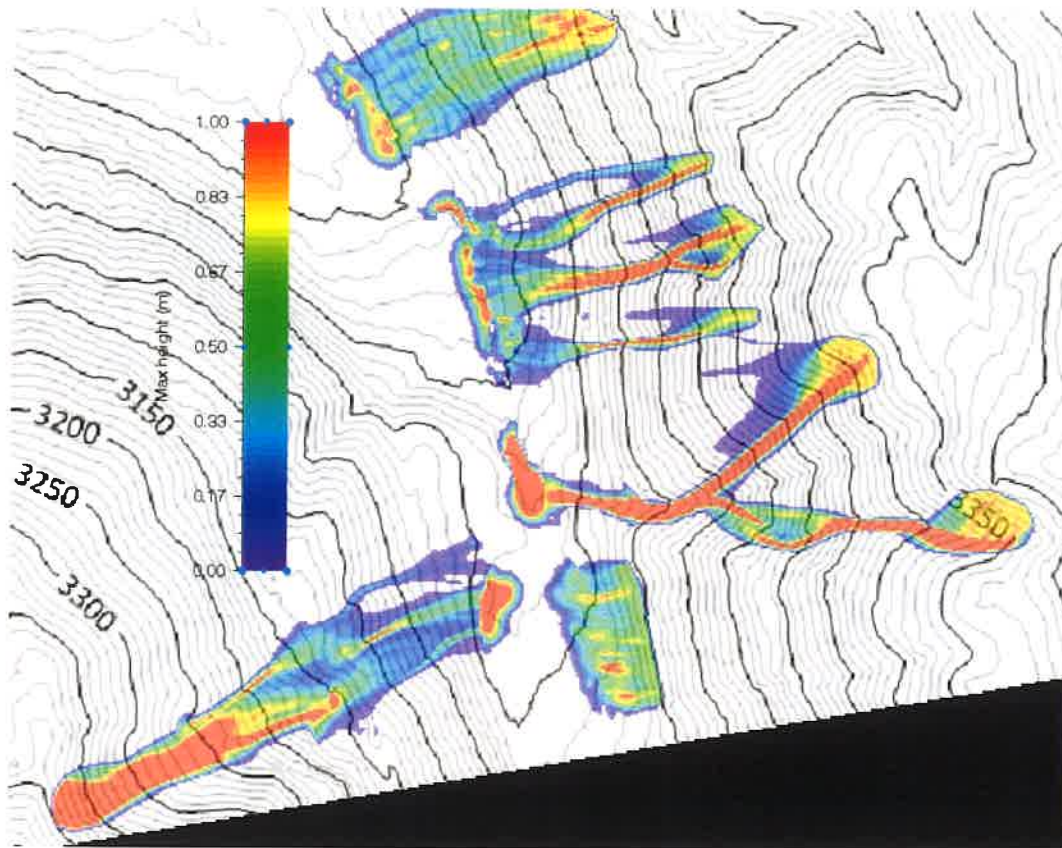


Figure 13 – Representative RAMMS Model Results

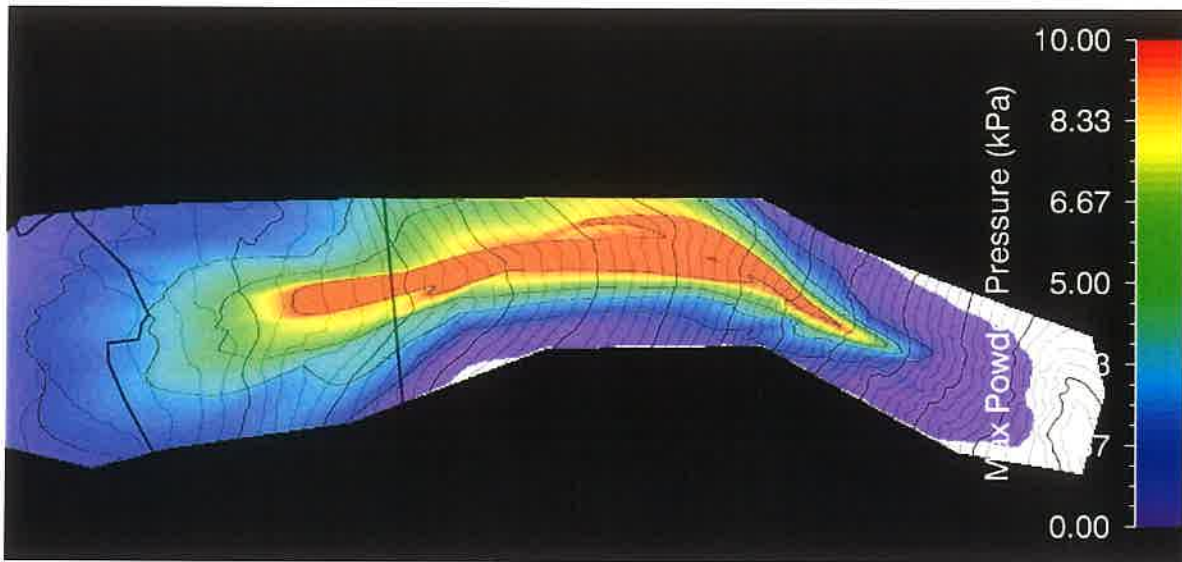


Figure 14 – Bavarian Path Powder Pressure from RAMMS:Extended Model

10. Findings

Based on the methods described in this report, we developed Avalanche Hazard Maps for the entire village limits (Index and Maps 1 through 5). The avalanche hazard zone definitions are consistent with those in the report by Arthur I. Mears, P.E., Inc. *Snow Avalanche Mapping and Zoning with Land Use Recommendations*, prepared for the Village of Taos Ski Valley in 2001, except that the Yellow (Low) Avalanche Hazard Zone has been added. The Red and Blue Zone definitions are unchanged. The available topography, aerial imagery and avalanche dynamics models have significantly improved since the 2001 Avalanche Hazard Maps.

Each of the methods used to develop the avalanche hazard maps was weighted based on our relative confidence in the method. Weighting was similarly high for field vegetation observations, aerial image analysis, terrain analysis and dynamics modeling. Statistical methods were underweighted primarily due to forests that inhibit avalanche releases and the relatively low snow depths on southerly aspects.

Fire mitigation measures in many areas steeper than 30 degrees have reduced forest density from pre-mitigation conditions. As a result, the frequency and size of avalanches in these areas is likely to increase compared to historic conditions. Over time, as the forests grow, the hazards may decrease and approach historic levels. The Avalanche hazard maps reflect current forest conditions, including thinning that has occurred to date. Prevention of high-intensity fires in the starting zones is critical because complete

loss of forest in the starting zones would increase the hazard boundaries well beyond the limits for current conditions.

Snow compaction and layer disruptions from ski area operations will significantly reduce the frequencies and sizes of avalanches with return periods up to about 30-years. Between return periods of 30- and 100-years declining reductions in hazard will occur. Compaction operations' effects on 300-year avalanches will be negligible.

11. Uncertainties

There are several sources of uncertainty that could affect current and future avalanche hazards. We describe these briefly below.

Avalanche Processes

Avalanche mapping science has advanced considerably in recent years, but it is still an immature science. The latest avalanche dynamics models under development consider snow temperature and avalanche flow regimes in a thermodynamic context, which has relevance in a warming climate. However, large uncertainties exist about the input parameters and applicability to various snow-avalanche climates. This high elevation-low latitude, windy snow climate differs from those in Europe where much of the science and models were developed.

Data and Records

Public historic records are very limited, incomplete and private records are not readily available.

Climate Change

Avalanches of concern for land use planning are affected by forest conditions (especially in the starting zones), snow temperatures, precipitation intensities and snowpack structure. These factors are likely to change over time in a warming climate. Combined, some climate factors offset others, but any of them could result in higher frequencies and magnitudes of unusually long-running avalanches. There are large uncertainties, but it is likely that avalanche frequency-magnitudes will change over time. It is our opinion that avalanche hazards in this snow climate may increase in the next decades due to increases in storm intensities, precipitation and winds. Warming temperatures may have the effect of allowing thicker snow slabs to accumulate on low to moderate angle starting zones (30-35 degrees) before large releases. Such avalanches will have long runouts for both wet and dry releases. Rain-on-snow events

can trigger avalanches and these events are expected to become more frequent in a warming climate.

Forest Conditions

The high-elevation, subalpine forests play a crucial role in avalanche mitigation on all aspects. Current forest conditions on many steep northerly slopes (>30-degrees) prevent the release of large avalanches. Loss of forests caused by fire, blowdown, clearing or any other cause will adversely affect the avalanche hazards, increasing the frequency and magnitude of avalanches. Conversely, active management of tree spacings, canopy densities, ages, species and ground cover could stabilize and eventually reduce avalanche hazards levels. While efforts to improve forest health are planned and underway, it is impossible for us to predict future forest conditions.

Table 1 summarizes literature related to forest density and avalanche release (Ref. 5, 6, 7 & 8). The data in Table 1 are based on a very short period of observation and do not necessary apply to long-return period avalanches.

Table 1 - Protection Forest Guidelines

Reference	slope angle	min. diameter (in)	trees per acre	avg spacing (ft)	canopy cover (%)	Comments
McClung & Schaerer	gentle	-	200	15	-	refers to mechanical prevention of trunks; no canopy effects
	steep	-	400	10	-	
Schneebli	32-42 deg	6	70-180	16-25	30-80	Swiss field study of 5 forest types; extreme events not represented
Weir	-	5-6	400	10	-	Cedar-hemlock forest interior B.C.
Jamieson	-	6	80	23	-	References Swiss data

12. Avalanche Risk

The following information is intended to provide context for the recommendations provided in the following section of this report, especially as they relate to hazard zoning, land use, occupied buildings, and exposure to avalanche hazards.

Avalanche risk is defined as the probability of injury, death or losses caused by an avalanche. Risk can be expressed as the product of probability, magnitude, exposure and vulnerability. Each component contributes to the risk.

$$R = f (P, M, E, V)$$

Risk, R, can be reduced to an acceptable level by reducing any one or more of the risk factors. Zoning maps reflect the probability-magnitude elements. Land use decisions (dwelling locations and unit-density) and mitigation designs (structural, architectural, civil) affect the exposure and vulnerability components. Exposure (E) includes both time and numbers of people or value of resources for a given location. Exposure can be reduced by structural and architectural designs that place high occupancy uses in protected areas. This is particularly important for outdoor uses such as hot tubs, entries and outdoor living spaces. Vulnerability (V) is the resistance to loss. Persons inside of buildings designed for avalanche impact have a high level of protection, but outside of buildings, vulnerability is high. Vulnerability for persons outside of buildings is best managed by designs and user awareness that minimize the time of exposure.

Each component of risk involves uncertainties. The probability-magnitude uncertainties for avalanche hazards are generally larger than the uncertainties for vulnerabilities due to the short historic record and limitations of avalanche mapping science.

13. Recommendations

Land Use

1. No occupied or valuable structures should be constructed in the Red Avalanche Hazard Zones.
2. Occupied and valuable structures should be located outside of the Blue and Yellow Zones, wherever practical. Many jurisdictions in the U.S. allow residential and commercial construction in the Blue Zone with structural avalanche mitigation. The Yellow Zone is not widely used in the U.S. and is often advisory.
3. If low-occupancy, residential or commercial structures are constructed in the Blue Avalanche Hazard Zones, they should be located as low as practical in the Blue Zone and designed to withstand avalanche impact and static loads. Avalanche loads cannot be determined until the location, geometry and orientation of the structures are known.
4. No critical structures should be constructed in the Red, Blue or Yellow Zones. Critical structures include emergency response facilities (police, fire, ambulance, clinics), hospitals and schools.
5. No high-occupancy structures (hotels, apartments, auditoriums, condominiums, etc.) should be constructed in the Red or Blue Zones.
6. Based on uncertainties, occupied structures in the Yellow (Low) Avalanche Hazard Zone should be designed to withstand avalanche impact and static loads. In larger avalanche paths (more than 1000 vertical foot fall), stagnation pressures from the suspension component (powder blast) can act to heights of 50-feet or more. Avalanche loads cannot be determined until the location, geometry and orientation of the structures are known.

7. Site and architectural designs should address avalanche hazards in the Blue and Yellow Zones. Building entries and outdoor living spaces, especially hot tubs and heated outdoor spaces, should be placed in protected areas away from the avalanche-facing side of the building. In cases where this is not practical, evacuation plans for exposed areas should be made and implemented. Windows and doors on the uphill side should be avoided or designed for impact.
8. All utilities in avalanche zones should be buried. Gas lines, utility meters and fire hydrants in avalanche zones should be protected to prevent damage.
9. It is possible to achieve a high level of avalanche protection for occupants inside specially designed, reinforced buildings, but persons and pets outside will not be protected. Therefore, it is prudent for occupants and guests of residential buildings in and near avalanche hazard zones to become educated and keep current on local avalanche conditions, including the local and regional avalanche danger forecasts. However, reliance upon forecasts and avoiding avalanche zones during elevated avalanche danger conditions can reduce, but not eliminate avalanche risk, especially to persons outside of buildings.

Avalanche Ordinance

The following is from Ordinance 17-030:

SECTION 7. GENERAL PROVISIONS.

Part 6. Avalanche Design Requirements

Prior to the Village issuing a building permit for the construction of a new, freestanding building to be occupied by one or more persons, the applicant must provide the following to the Village for review by the Planning Officer:

- 1. A written report analyzing the potential avalanche hazards and the potential physical forces, if any, created thereby upon the proposed improvement or structure, and;*
- 2. A structural analysis of the proposed building or structure prepared and sealed by a New Mexico licensed engineer reflecting an engineering analysis and design which states that the design of the building or structure can withstand the potential force from an avalanche as set forth in the avalanche report referred above. This analysis shall be required only if the referenced report indicates that an avalanche hazard exists.*
- 3. The issuance of a building permit by the Village shall not be construed to mean that the Village agrees that the proposed building will withstand an avalanche.*

The ordinance does not incorporate the 2001 Avalanche Hazard Maps or distinguish between different (Red or Blue) hazard zones. In the U.S., local jurisdictions determine restrictions and requirements for development in avalanche zones. The ranges of restrictions vary from none or few to severe. These are policy decisions that have significant impacts on public and private properties. We offer some general guidelines and recommendations:

1. The recommendations in the previous section should be incorporated, including distinguishing between hazard zones and allowable land uses, particularly for the Blue and Red Zones.
2. The issue of non-conforming structures (e.g., unreinforced buildings in Blue Zones) should be addressed by informing owners and occupants and addressing future additions, improvements or avalanche defenses prior to issuing building permits.
3. The ordinance should allow for review and adjustment of avalanche zones based on analyses by a qualified avalanche professional.
4. We recommend incorporating avalanche hazard maps into the ordinance with procedures for amendments to the avalanche hazard maps.
5. We recommend requiring that new construction, including buildings, walls and site grading, do not adversely impact avalanche hazards on other properties, including public roads and utilities.
6. We recommend developing a list of criteria for reviewing developments in avalanche zones.
7. We recommend that public officials review avalanche ordinances from other jurisdictions, including Vail, Colorado, Pitkin County Colorado, Ketchum, Idaho and Blaine County, Idaho.
8. We recommend that thinning be limited on slopes steeper than 30 degrees to the minimum conifer tree densities for trees 6" diameter and larger per Figure 14 to the maximum extent practical. Deciduous and dead/snag tree densities should be double those shown in Figure 14 for avalanche protection. Tree spacing should be relatively even and staggered to avoid fall-line clearings longer than about 50 to 100-feet of slope distance.

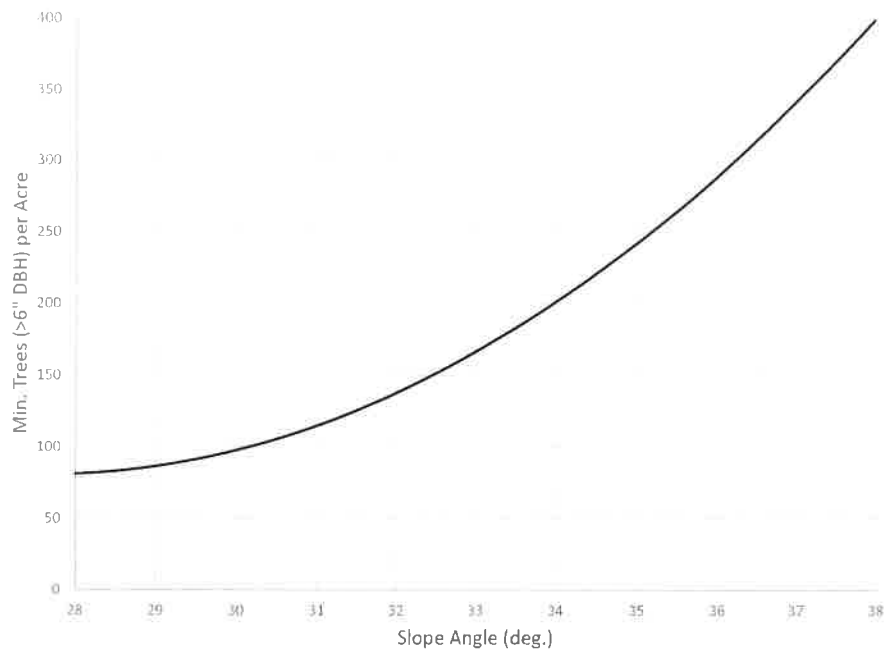


Figure 15 – Minimum Conifer Densities vs. Slope for Avalanche Protection

14. References

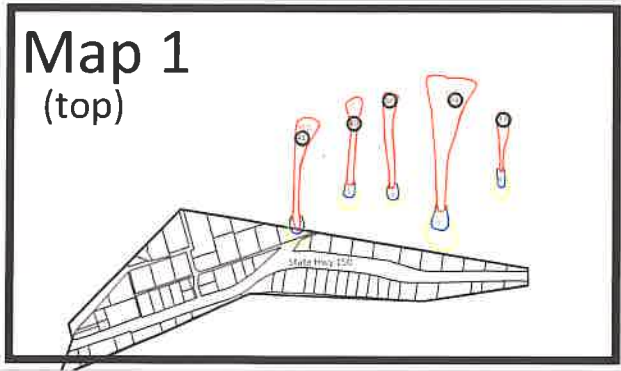
1. Arthur I. Mears, P.E., Inc., *Avalanche Hazard Mapping Study*, Village of Taos Ski Valley, February 2001.
2. Jamieson, Bruce (editor), 2018, *Planning Methods for Assessing and Mitigating Snow Avalanche Risk*, Canadian Avalanche Association.
3. Johnson, Lane B. and Margolis, Ellis Q., *Surface Fire to Crown Fire: Fire History in the Taos Valley Watersheds, New Mexico, USA*, Fire 2019, 2, 14; doi:10.3390/fire2010014 www.mdpi.com/journal/fire
4. Dolecek Enterprises Inc., Northside at Taos Ski Valley, Forest Management Plan, 2020.
5. McClung, David & Schaerer, Peter, 2006, *The Avalanche Handbook*, 3rd edition, The Mountaineers.
6. Schneebli, Martin & Meyer-Grass, Martin, 1992, *Avalanche Starting Zones Below the Timberline Structure of Forest*, International Snow Science Workshop.
7. Weir, Peter, 2002, *Snow Avalanche Management in Forested Terrain*, BC Ministry of Forests Land Mgmt. Handbook 55.

8. Teich, M., Bartelt, P., Grêt-Regamey, A. and Bebi, P.,2012. Snow avalanches in forested terrain:Influence of forest parameters, topography and avalanche characteristics on runout distance. Arctic, Antarctic, and Alpine Research 44(4), 509-519.

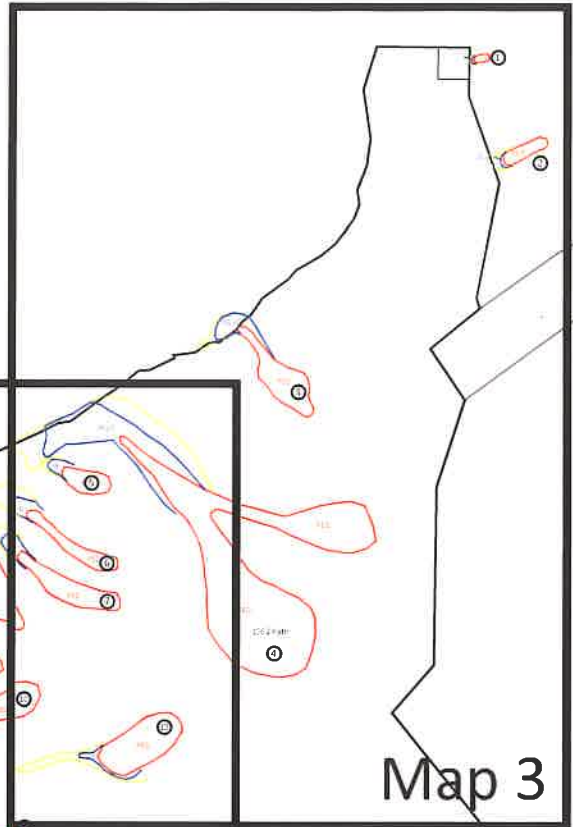
15. Warranty

You as my client should know that while our company can and does attempt to uphold high professional standards, the state of scientific and engineering knowledge is incomplete, and does not permit certainty. The complex phenomena involved in avalanches cannot be perfectly evaluated and predicted, and methods used to predict avalanche behavior change as new research becomes available. While we can and will offer our best professional judgment, we cannot and do not offer any warranty or guarantee of results.

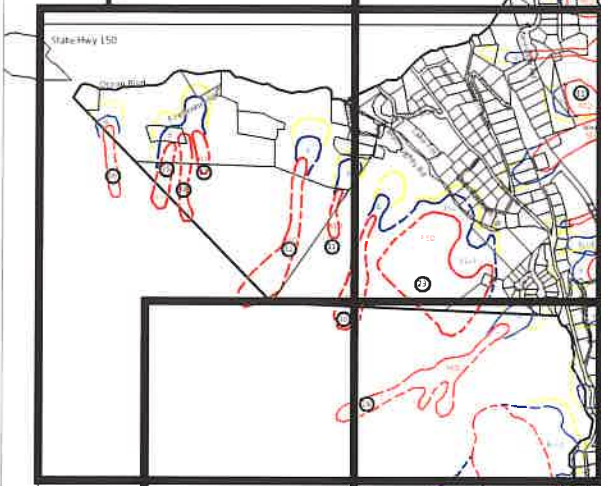
Map 1
(top)



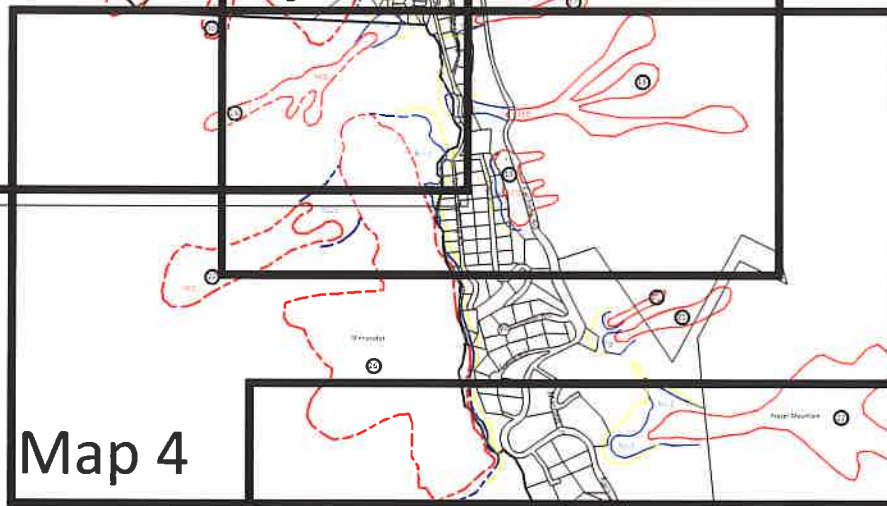
Map 2



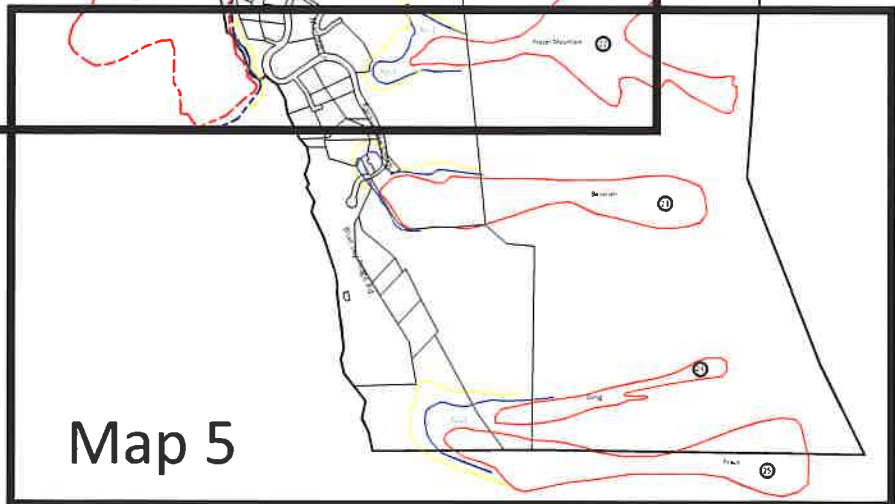
Map 1 (bottom)



Map 3



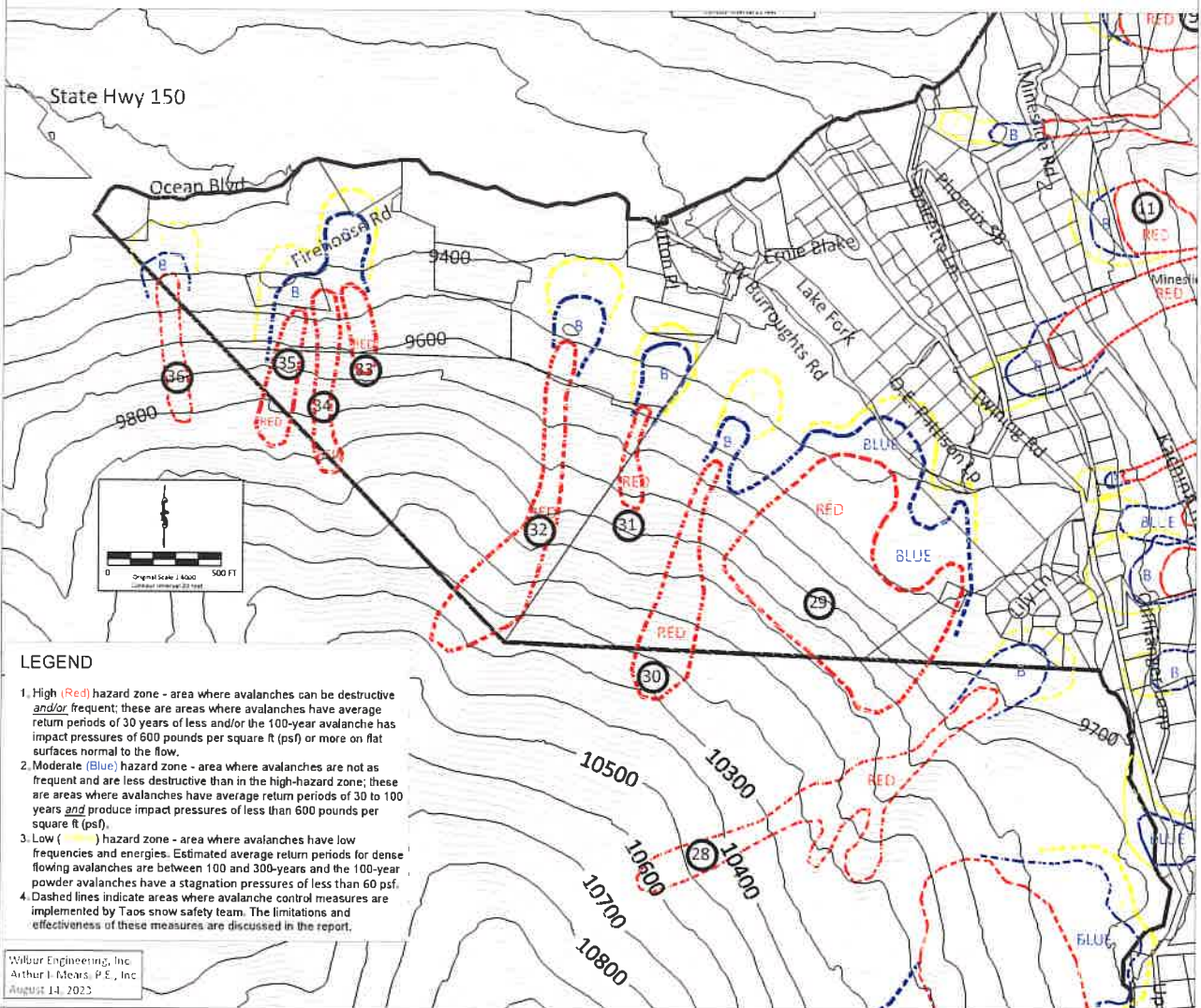
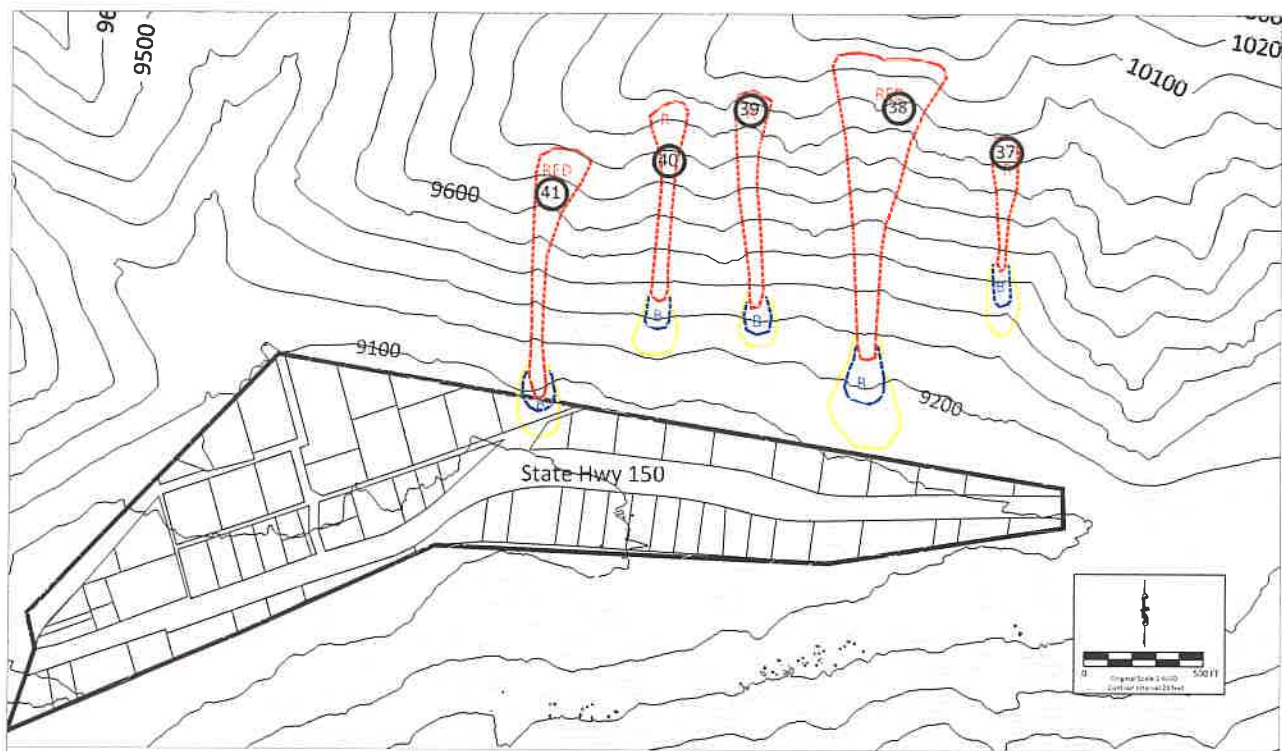
Map 4



Map 5

**Avalanche Hazard Map
Index Map**

Village of Taos Ski Valley, New Mexico, USA



LEGEND

1. High (Red) hazard zone - area where avalanches can be destructive and/or frequent; these are areas where avalanches have average return periods of 30 years or less and/or the 100-year avalanche has impact pressures of 600 pounds per square ft (psf) or more on flat surfaces normal to the flow.
2. Moderate (Blue) hazard zone - area where avalanches are not as frequent and are less destructive than in the high-hazard zone; these are areas where avalanches have average return periods of 30 to 100 years and produce impact pressures of less than 600 pounds per square ft (psf).
3. Low () hazard zone - area where avalanches have low frequencies and energies. Estimated average return periods for dense flowing avalanches are between 100 and 300-years and the 100-year powder avalanches have a stagnation pressures of less than 60 psf.
4. Dashed lines indicate areas where avalanche control measures are implemented by Taos snow safety team. The limitations and effectiveness of these measures are discussed in the report.

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August 14, 2022

NOTES

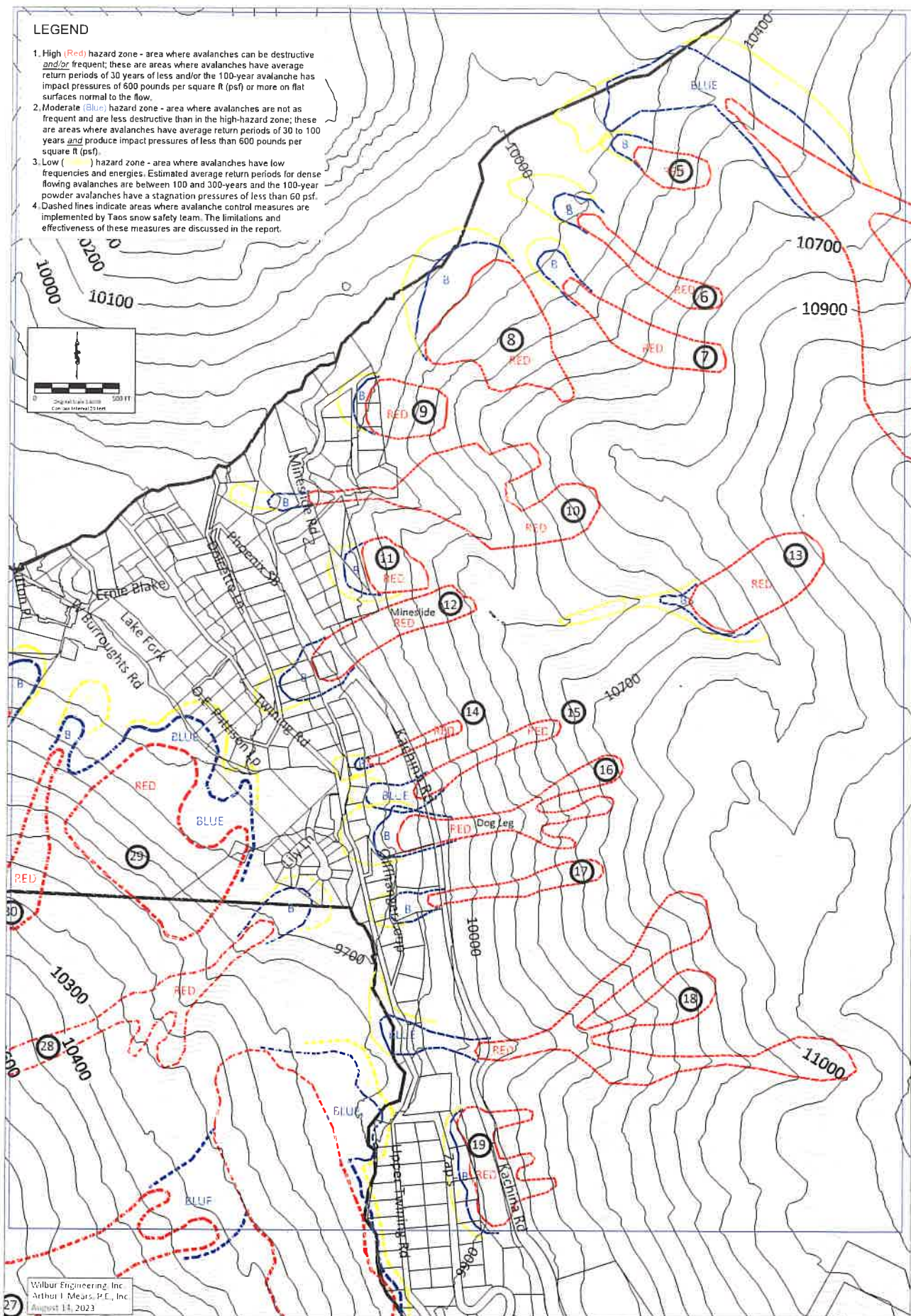
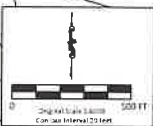
1. Avalanche hazard zones are intended for planning purposes only and subject to limitations described in the accompanying report.
2. The system for hazard zones is based on 2015 and 2021 USGS topography.
3. Data use copyright and recommendations for Red, Blue and Yellow avalanche zones are provided in the report.
4. Village lines and street boundaries are approximate and based on Village of Taos Ski Valley GIS data.

Avalanche Hazard Map
Amizette & West End
Village of Taos Ski Valley, New Mexico, USA

Map
1

LEGEND

1. High (Red) hazard zone - area where avalanches can be destructive and/or frequent; these are areas where avalanches have average return periods of 30 years or less and/or the 100-year avalanche has impact pressures of 600 pounds per square ft (psf) or more on flat surfaces normal to the flow.
2. Moderate (Blue) hazard zone - area where avalanches are not as frequent and are less destructive than in the high-hazard zone; these are areas where avalanches have average return periods of 30 to 100 years and produce impact pressures of less than 600 pounds per square ft (psf).
3. Low (Yellow) hazard zone - area where avalanches have low frequencies and energies. Estimated average return periods for dense flowing avalanches are between 100 and 300-years and the 100-year powder avalanches have a stagnation pressures of less than 60 psf.
4. Dashed lines indicate areas where avalanche control measures are implemented by Taos snow safety team. The limitations and effectiveness of these measures are discussed in the report.



Wilbur Engineering, Inc.
Arthur I. Mears, P.E., Inc.
August 14, 2023

NOTES

1. Avalanche Hazard Zones are intended for planning purposes only and subject to limitations described in the accompanying report.
2. The avalanche hazard zones are based on 2023 and 2021 USGS topography.
3. Confusion comments and recommendations for Red, Blue and Yellow avalanche zones are distributed in the report.
4. Village limits and parcel boundaries are approximate and based on Village of Taos Ski Valley GIS data.

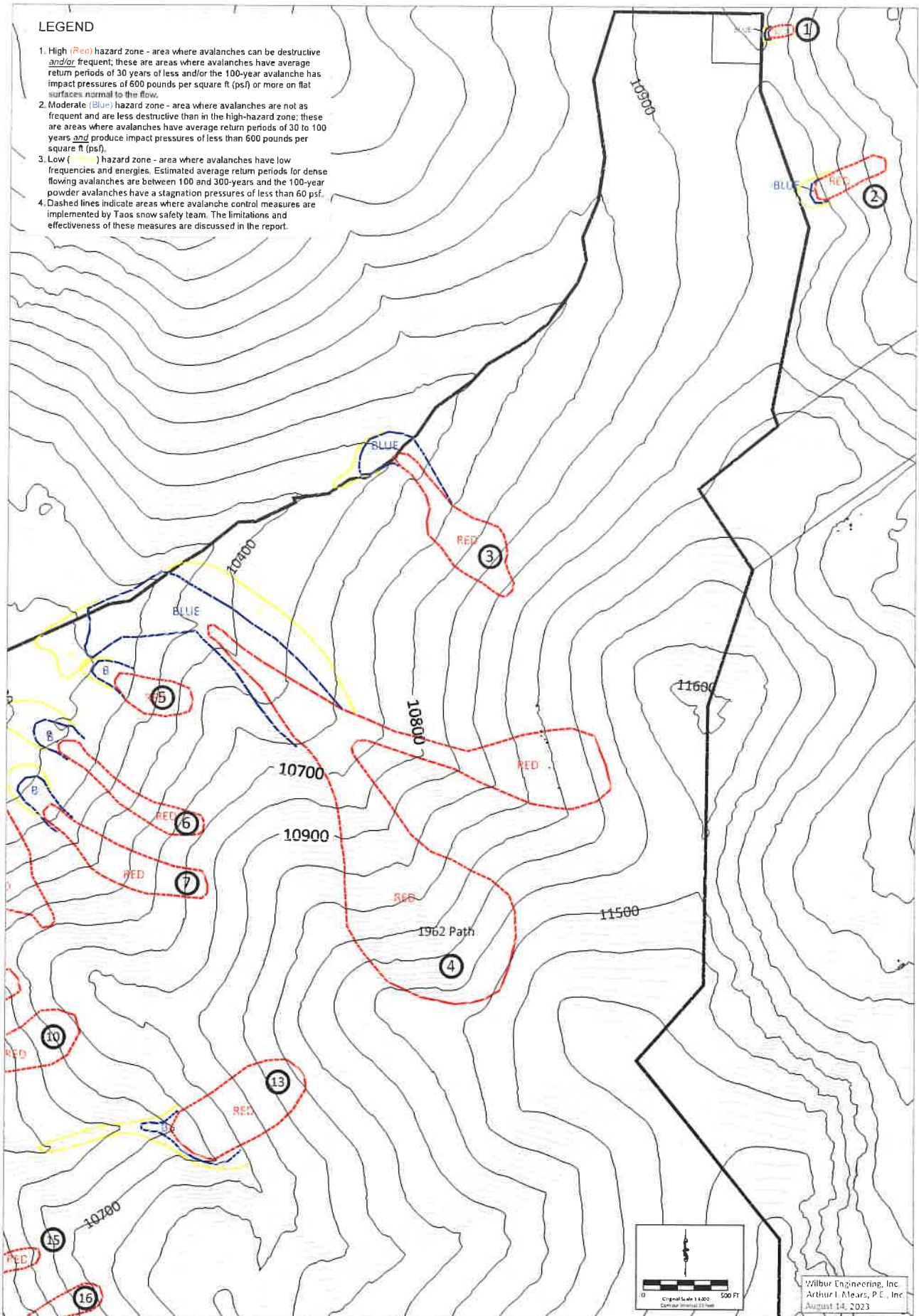
Avalanche Hazard Map
Lower Twining Road
Village of Taos Ski Valley, New Mexico, USA

Map

2

LEGEND

1. High (Red) hazard zone - area where avalanches can be destructive and/or frequent; these are areas where avalanches have average return periods of 30 years of less and/or the 100-year avalanche has impact pressures of 600 pounds per square ft (psf) or more on flat surfaces normal to the flow.
2. Moderate (Blue) hazard zone - area where avalanches are not as frequent and are less destructive than in the high-hazard zone; these are areas where avalanches have average return periods of 30 to 100 years and produce impact pressures of less than 600 pounds per square ft (psf).
3. Low (Yellow) hazard zone - area where avalanches have low frequencies and energies. Estimated average return periods for dense flowing avalanches are between 100 and 300-years and the 100-year powder avalanches have a stagnation pressures of less than 60 psf.
4. Dashed lines indicate areas where avalanche control measures are implemented by Taos snow safety team. The limitations and effectiveness of these measures are discussed in the report.



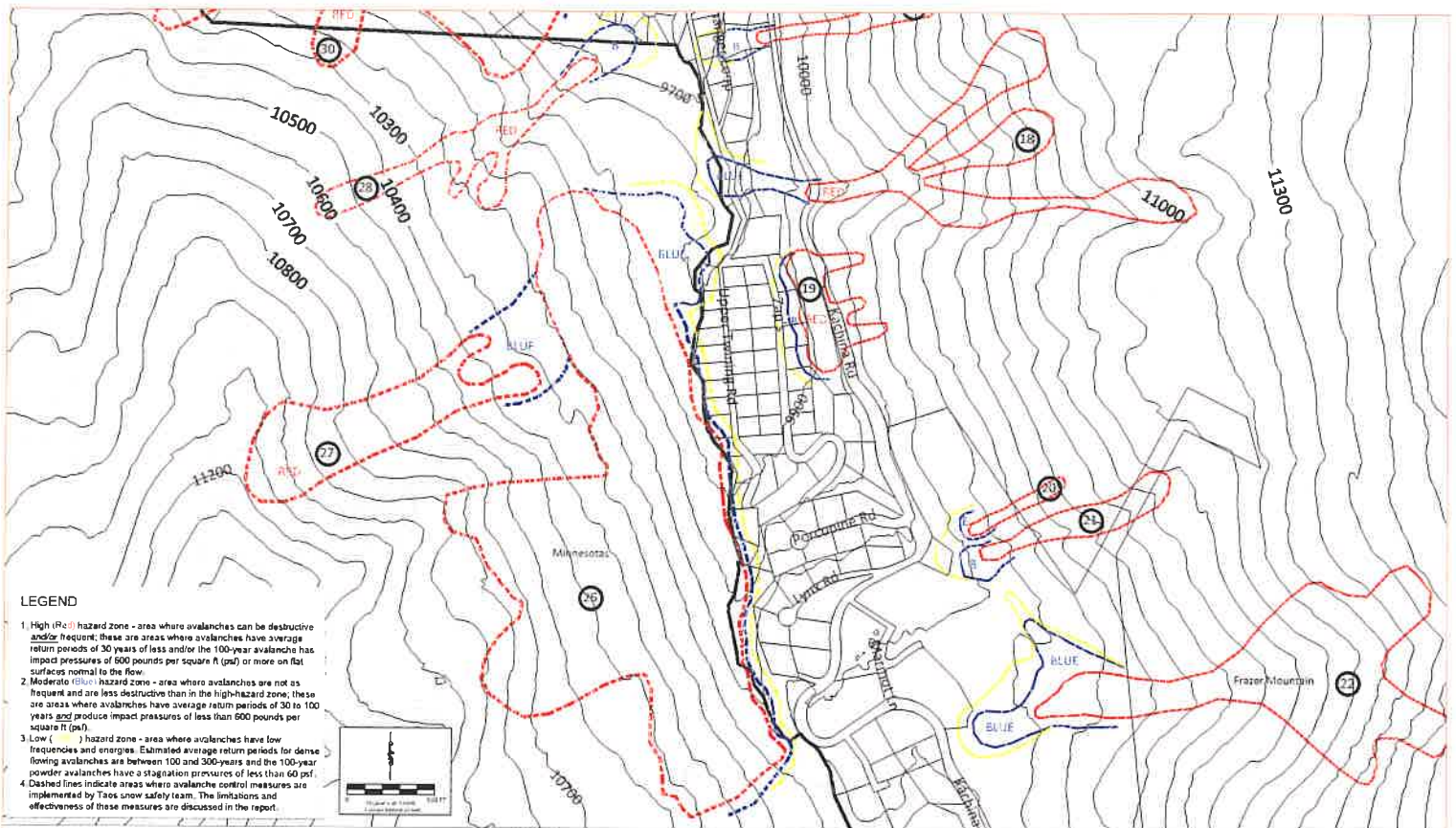
NOTES

1. Avalanche hazard zones are intended for planning purposes only and subject to revision based on the accompanying report.
2. The avalanche hazard zones are based on 2015 and 2016 USGS topography.
3. Land use, including and improvements for Taos Ski and Village of Taos Ski Valley are shown on the map.
4. All figures and percentages are approximate and based on Village of Taos Ski Valley data.

Avalanche Hazard Map
Northside
Village of Taos Ski Valley, New Mexico, USA

Map
3

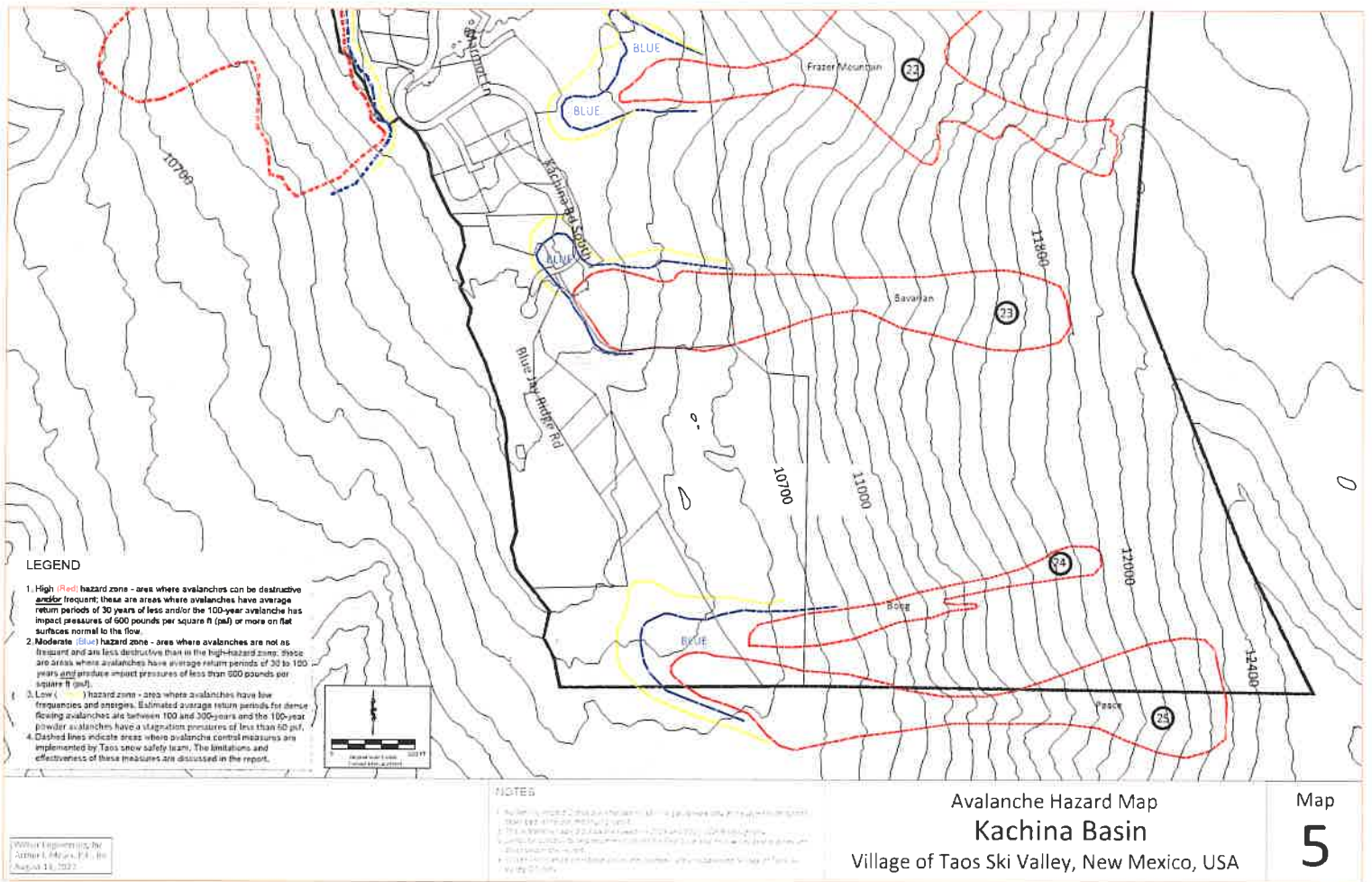
Wilbur Engineering, Inc.
Arthur L. Mears, P.E., Inc.
August 14, 2023

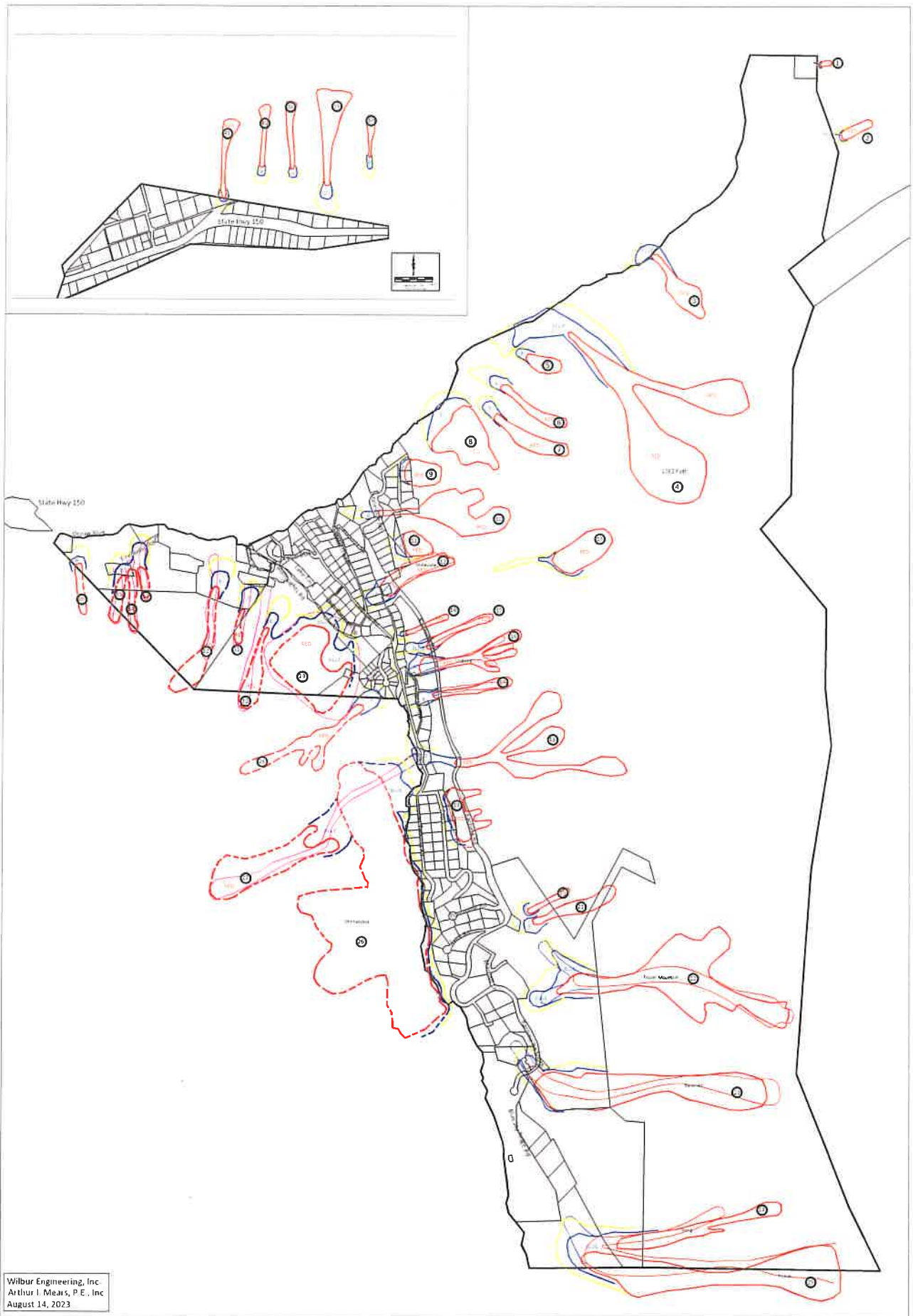


Waters Engineering, Inc.
 10000 N. 1st St.
 Suite 100
 Taos, NM 87571
 August 14, 2012

Avalanche Hazard Map
 Upper Twining Road
 Village of Taos Ski Valley, New Mexico, USA

Map
4





Wilbur Engineering, Inc.
Arthur I. Mears, P.E., Inc.
August 14, 2023

2023	2001
Yellow (Low)	Blue (Moderate)
Blue (Moderate)	Red (High)
Red (High)	Controlled by TSVI

Avalanche Hazard Map Revisions 2001-2023 Map Comparison Village of Taos Ski Valley, New Mexico, USA

Map
6

Appendix A Climate Data

Poco Gusto Weather Station, el. 10,860'

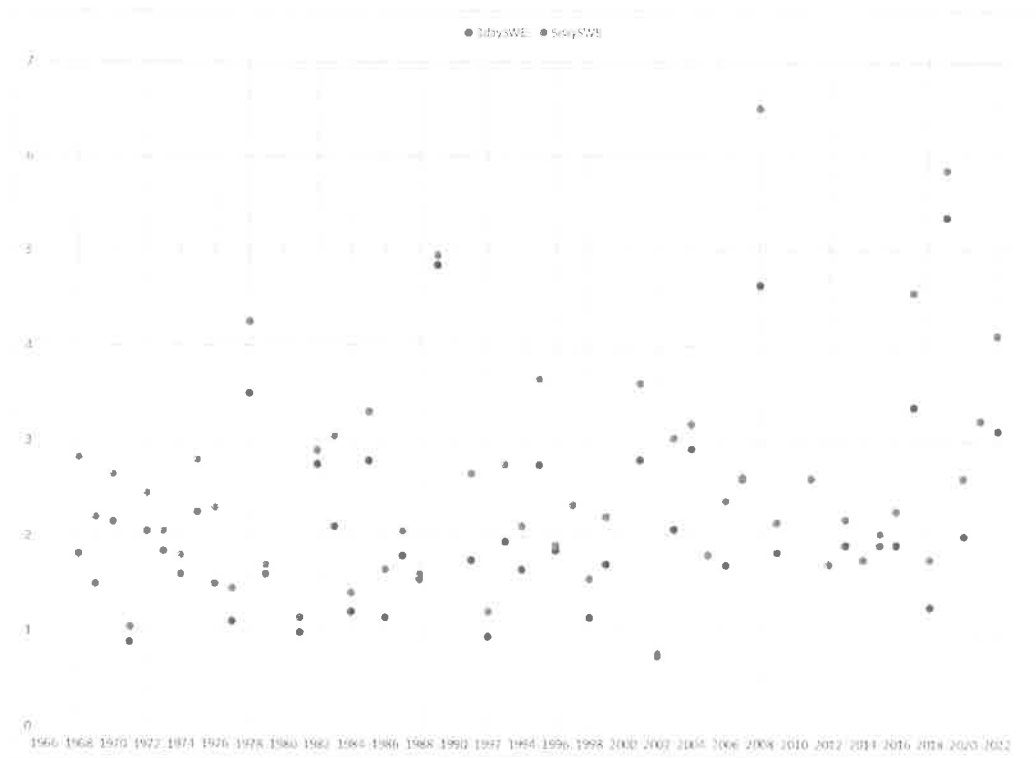
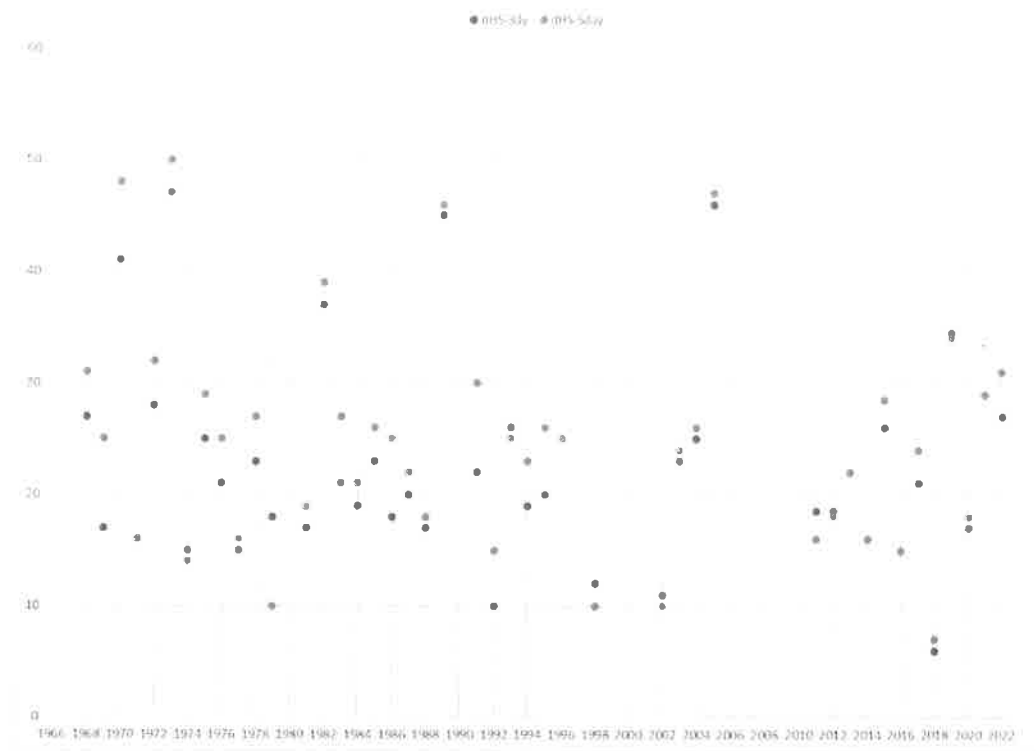
rank	3-day SWE		5-day SWE		delta-HS 3-day		delta-HS 5-day	
1	2019	5.35	2008	6.51	1973	47	1973	50
2	1989	4.85	2019	5.85	2005	46	1970	48
3	2008	4.64	1989	4.95	1989	45	2005	47
4	1978	3.50	2017	4.55	1970	41	1989	46
5	2017	3.35	1978	4.25	1982	37	1982	39
6	2021	3.20	2022	4.10	2019	35	2019	34
7	2022	3.10	1995	3.65	2021	29	1972	32
8	2004	2.92	2001	3.60	1972	28	2022	31
9	2001	2.80	1985	3.30	2022	27	1968	31
10	1985	2.79	2021	3.20	1968	27	1991	30

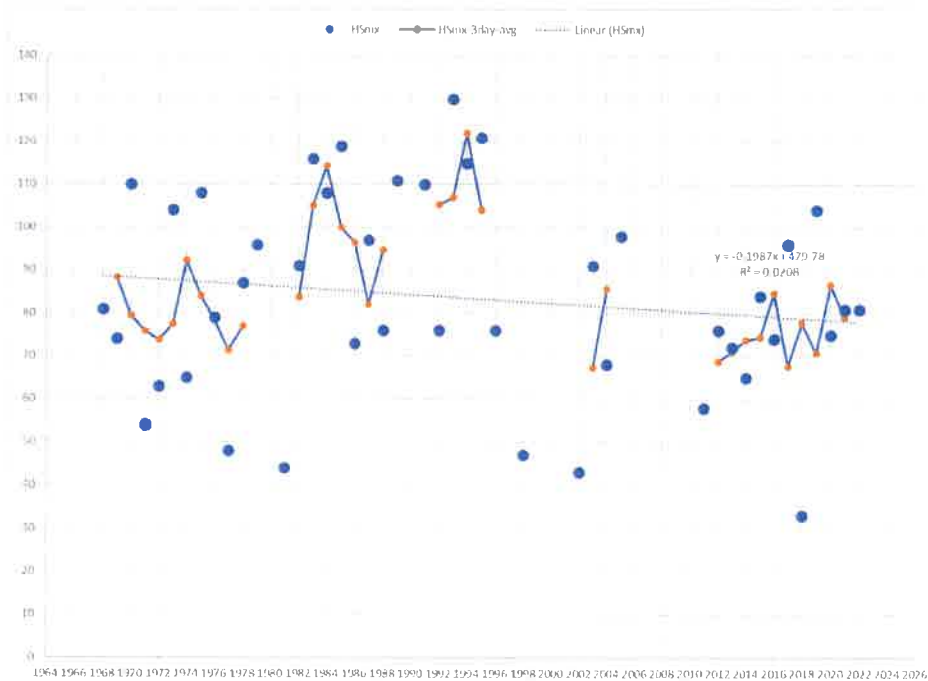
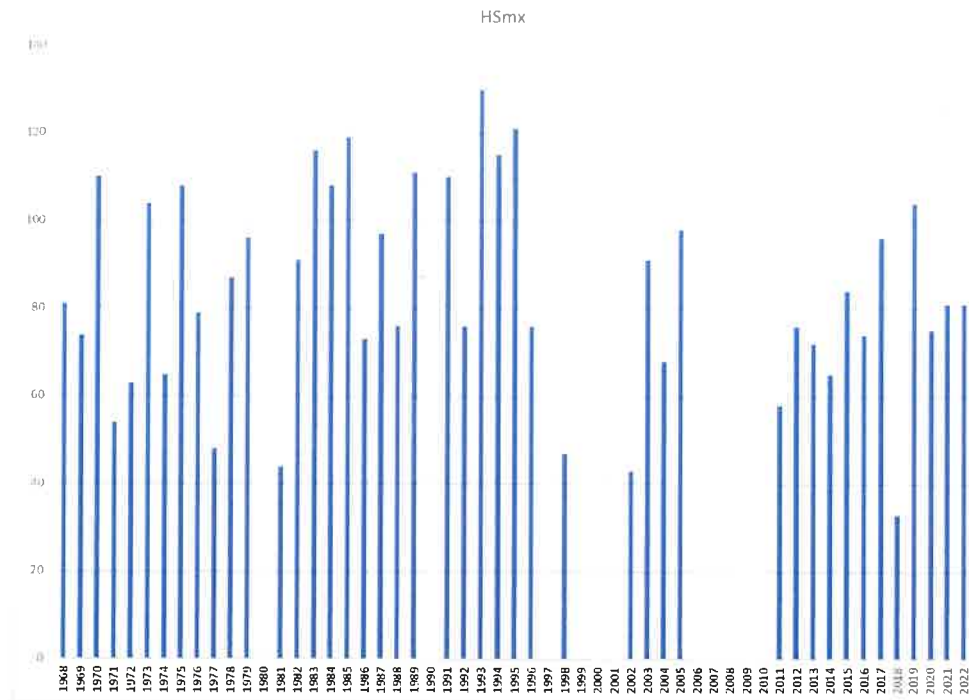
Notes:

1. Data provided by TSV Ski Patrol in inches from Poco Gusto, el. 10,860 ft.
2. SWE period of record: 51/55 years
3. HS period of record 43/55 years
4. missing all data:1980, 1990, 2000, 2010
5. missing HS data: 1999-2001, 2006-2009

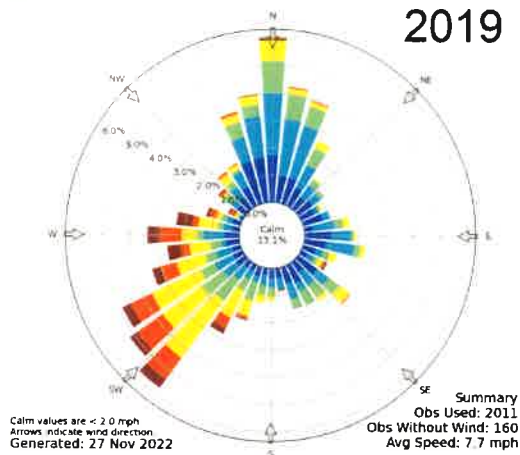
Chronological Storm Dates

	HSmx	HSmx- 3day- avg	HN- max	HW- max	dHS- 3dy	dHS- 5day	3dayS WE	5day- SWE	mid-storm
1970	110	79	22	1.15	41	48	2.15	2.65	3/31/1970
1973	104	77	18	1.05	47	50	1.85	2.05	12/29/1972
1975	108	84	20.5	1.15	25	29	2.25	2.8	3/10/1975
1978	87	77	16	1.8	23	27	3.5	4.25	3/2/1978
1982	91	84	34	2.05	37	39	2.75	2.9	2/4/1982
1983	116	105	12	0.9	21	27	2.1	3.05	3/20/1983
1985	119	100	16	2	23	26	2.79	3.3	3/12/1985
1989	111		36	2.85	45	46	4.85	4.95	2/5/1989
1991	110		18	1.7	22	30	1.75	2.65	12/15/1990
1993	130	107	16	1.15	26	25	1.95	2.75	1/10/1993
1994	115	122	16	1.2	19	23	1.65	2.1	3/27/1994
1995	121	104	12	1.5	20	26	2.75	3.65	3/4/1995
2001							2.8	3.6	4/7/2001
2005	98		11	1.75	46	47	1.8	1.8	12/30/2004
2008			18	2.9			4.64	6.51	12/10/2007
2017	96	68	19	2.3	21	24	3.35	4.55	1/8/2017
2019	104	71	28	3	34.5	34	5.35	5.85	3/14/2019

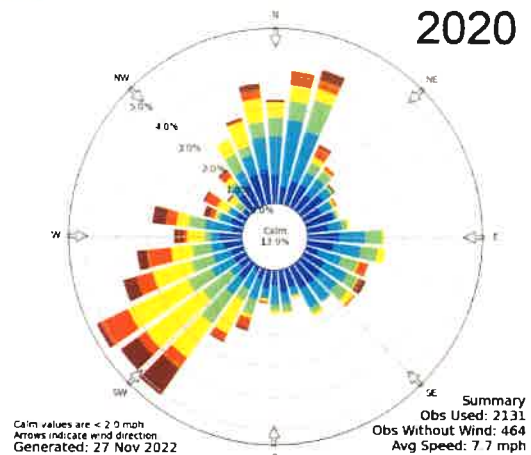




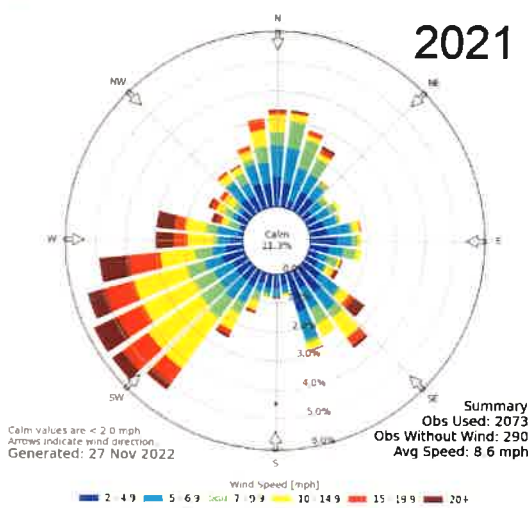
Windrose Plot for [SKX] TAOS MUNI APT(AWOS)
Obs Between: 01 Jan 2019 12:56 AM - 26 Mar 2019 11:56 PM America/Denver



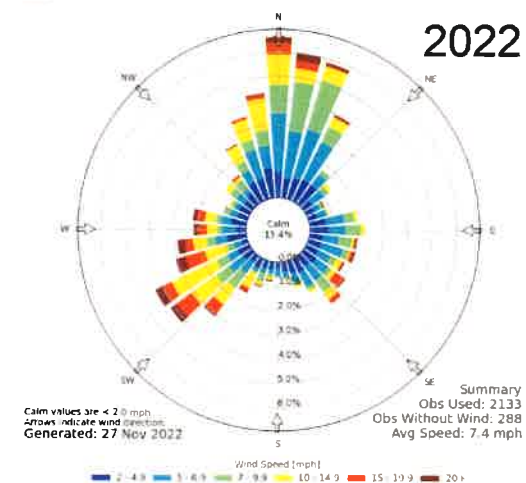
Windrose Plot for [SKX] TAOS MUNI APT(AWOS)
Obs Between: 01 Jan 2020 12:56 AM - 30 Mar 2020 11:56 PM America/Denver



Windrose Plot for [SKX] TAOS MUNI APT(AWOS)
Obs Between: 01 Jan 2021 12:56 AM - 30 Mar 2021 11:56 PM America/Denver



Windrose Plot for [SKX] TAOS MUNI APT(AWOS)
Obs Between: 01 Jan 2022 12:56 AM - 30 Mar 2022 11:56 PM America/Denver



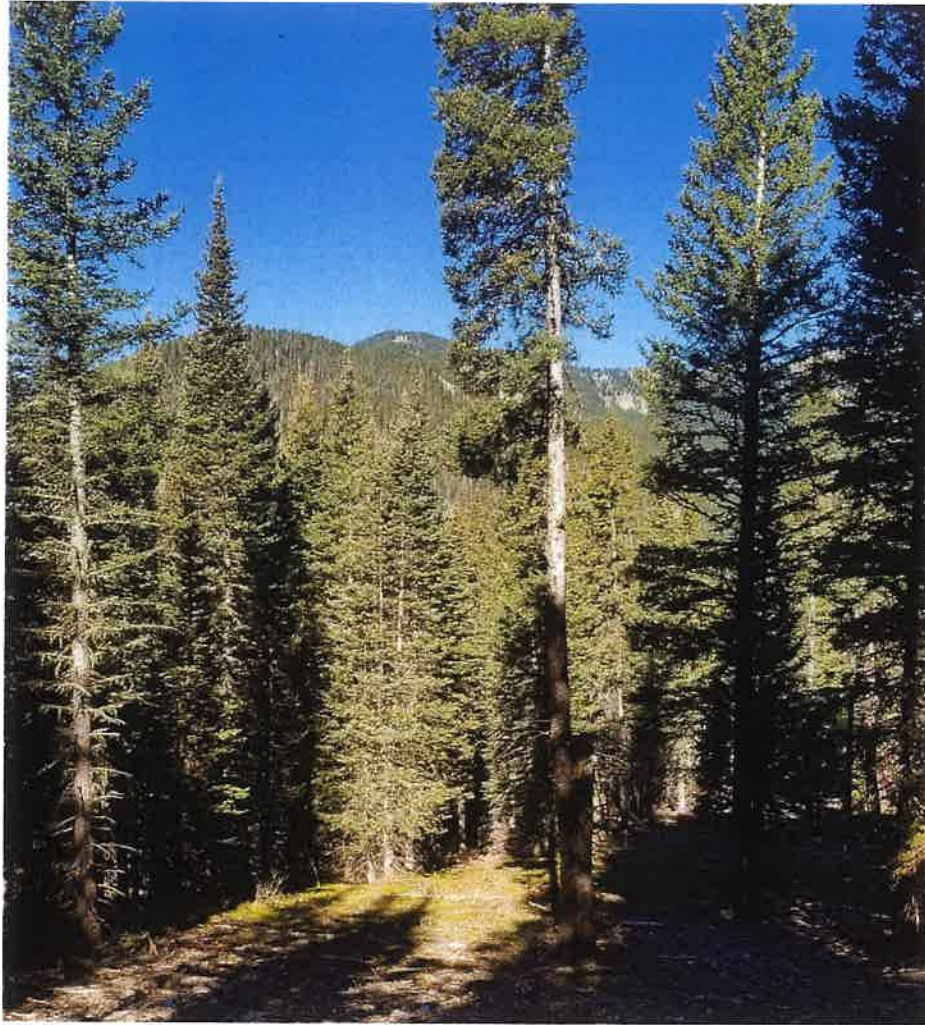
Taos Airport Wind Roses for Jan-Mar, 2019-2022

Taos Powderhorn SNOTEL
Site Number: 1168
Elevation: 11045 feet
Reporting since: 2010-08-09

Avalanche Hazard Assessment
Village of Taos Ski Valley
Taos Ski Valley, New Mexico

Wilbur Engineering, Inc.
Arthur I. Mears, P.E., Inc.
August 14, 2023

***Appendix B
Site Photos***



Location low in Jean's meadow; branches stripped on large tree to 16+ feet



Lop and pile area in 1962 avalanche path



Frazer, Bavarian, Bong, Peace paths
Chris Wilbur photo, Jan. 11, 2008



Dog Leg Path
Chris Wilbur photo, Jan. 11, 2008



Mineslide Feb. 9, 2011



Fire Mitigation and Blowdown Area (lop and pile)

Chris Wilbur photo, April 12, 2023

Appendix C

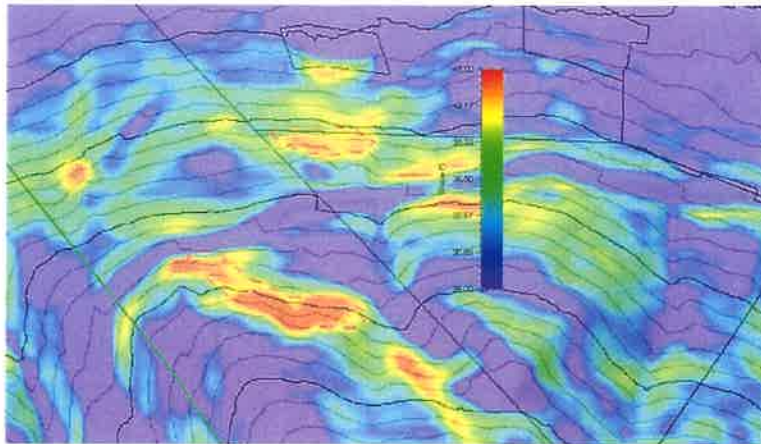
RAMMS Parameters & Results for Design Magnitude Avalanche

***** Important Note: *****

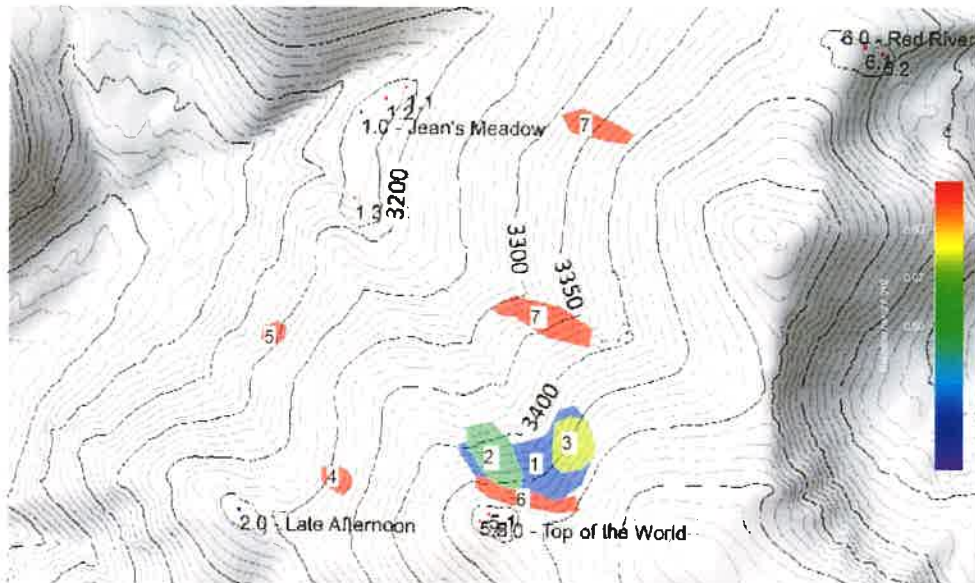
Interpretation of avalanche dynamics model results requires an understanding of the model assumptions, simplifications and limitations of the underlying equations of motion. The models do not accurately show wet avalanche runouts, flow heights or impact pressures, or the variations in avalanche properties with depth, including density and velocity.

Run No.	res.	Release			Friction	cohesion (Pa)	Comments
		name	ht. (m)	vol(m3)			
Snowbear Condos							
run1	5	R1	0.8	6,200	S100	0	upper rel. Snowbear
run2	5	R1	0.8	6,200	S100-for	0	add forest friction
run3	5	R2	0.7	2,300	T100	0	lower rel Snowbear
run4	5	R1	0.7	2,300	T100-for	0	add forest friction
NTSV-front							
run6	3	R2	0.8	15,700	T100	100	7 tiny rel. front side
run7	3	R3	0.6-1.0	24,500	S100	0	8 rel. mid valley - runs too far
run8	3	R3	0.6-1.0	24,500	T100	0	8 rel. mid valley - still runs too far
run9	3	R3	0.6-1.0	24,500	T100	200	Add C
Amizet							
run10	3	R1	0.5	5,400	T100	100	5 tiny rel.
run11	3	R1	0.5	5,400	T100	200	incr C
HSB							
run8	2	R1	0.5		T30	0	30-yr
run9	2	R1	0.65		T100		same rel, diff hts
run5	2	R1	0.75	2000	T30	0	30-100-yr
run10	2	R1	0.85		T300		same rel, diff hts
run6	2	R1	0.9	2400	T100	0	100-yr
run7	2	R1	1.05	2800	T300	0	300-yr

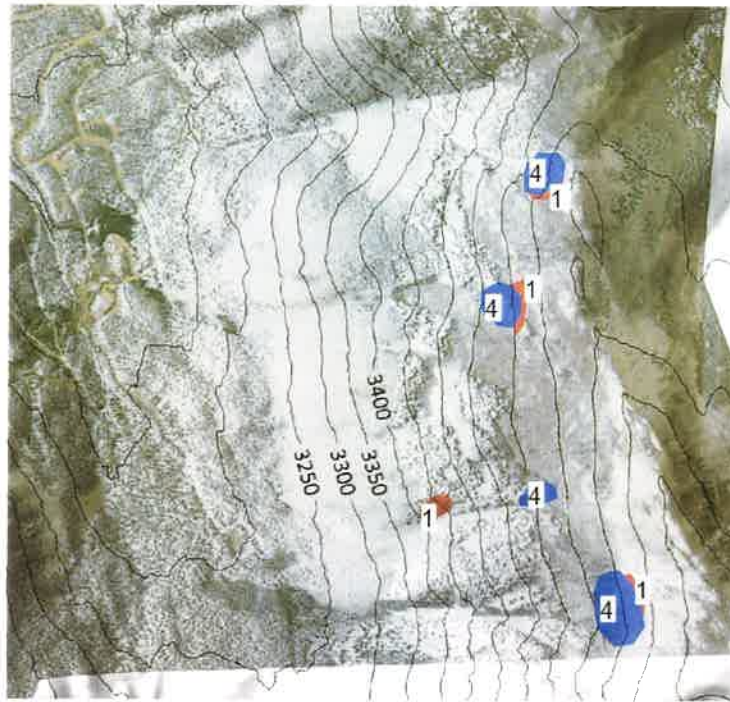
1962 path - Cabin 1.3							
run 1	5	R1	1.0	36,600	M100	0	Jeans mdw - hits cabin 1.3
run 2	5	R1	1.0	36,600	M300	0	300-yr friction
run 3	5	R1	1.0	36,600	M300	100	300-yr add C
run 4	5	R1	0.7	25,600	M100	0	smaller rel
run 5	5	R1	0.7	25,600	M100	100	add C
run 6	5	R1	0.7	25,600	M100	200	addl C
run 7	5	R2	1.0	11,300	S100	0	100yr Wind-loading rel
run 8	5	R3	1.0	9,300	S100	0	E rel. sparse forest
run 9	5	R3	1.2	11,100	S100	0	incr rel ht
run 10	5	R3	1.2	11,100	S300	0	300-yr friction
Late Afternoon paths							
run 11	5	R4	1.0	3,200	T100	0	W of L Afternoon
run 12	5	R5	1.0	5,500	T100	0	N of L Afternoon
run 13	5	R6	1.2	9,600	S100	0	cornice-drift rel 100-yr
run 14	5	R6	1.2	9,600	S100	150	Hi C
run 15		R6	1.2	9,600	S100	75	Low C
run 16	5	R7	0.8	14,800	T100	0	2 east rel.
run 17	5	R7	0.8	14,800	T100	150	1 east rel.
Mineslide, Dog leg							
run 18	3	R1	0.7	1,030	T100	0	
run 19	3	R2	0.7	1,850	T100	0	N release
run 20	3	R3	0.7	920	T100	0	S release
run 21	3	R4	0.7	800	T100	0	wider S rel.
run 22	3	R4	0.7	800	T100	0	10% cutoff vol; dep matches 2019
run 23	3	R4	0.8	915	T100	0	calibrated to 2019
run 24	3	R4	0.9	1,030	T100	0	100-yr design-magnitude
run 25	3	R2	0.5	1,320	T100	0	
run 26	3	R2	0.5	1,320	T100	0	10% cutoff vol
run 27	3	R5	0.8	4,840	T300	0	300-yr
run 28	3	R6	0.8	2,300	T100	0	ext rel N
run 29	3	R7	1.0	1,500	T100	0	adj rel per terrain
Frazer, Bavarian, Bong							
run 30	3	R1	1.2	14,500	11,700	M100	initial run
run 31	3	R2	1/0/1.2	12,000	11,700	M100	adj rel. ht for terrain
run 32	3	R3	1/0/1.2	17,800	13,700	M100	revise R2 to fit forest
run 33	3	R4	.75/85	8,100	13,100	S30	30-yr
run 34	3	R5	.9/1.1	9,700	16,900	M100	100-yr
run 35	3	R6	.8/1.1	8,700	16,900	M100	100-yr reduce N rel sli
run 36	3	R7	1.0/1.3	10,800	20,000	M300	300-yr
run 37	3	R6-for	.8/1.1	8,700	16,900	M100	add forest friction
run 38	3	R7-for	1.0/1.3	10,800	20,000	M300	300-yr-forest friction
run 39	3	R8	1.1	14,900	-	M300	incr. 300-yr vol.
run 40	3	R8	1.5	18,700	-	M300	incr rel ht. 300-yr vol.
run 41	3	R4	1.3-1.5	14,100	37,100	M300	300-yr Bav big
run 42	3	R1	1.2	27,000	S100	0	rel from RB
run 43	3	R1	1.2	28,300	S100	0	adj rel per aerial, esp Bong
run 44	3	R3	1.3	40,400	S300	0	300-yr



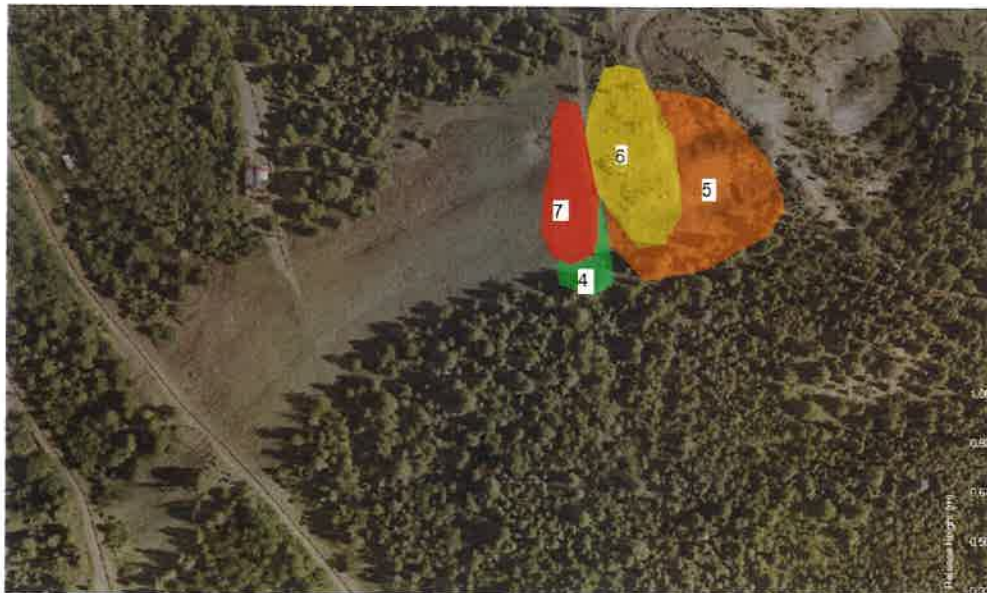
Release areas – above Snow Bear Lodge



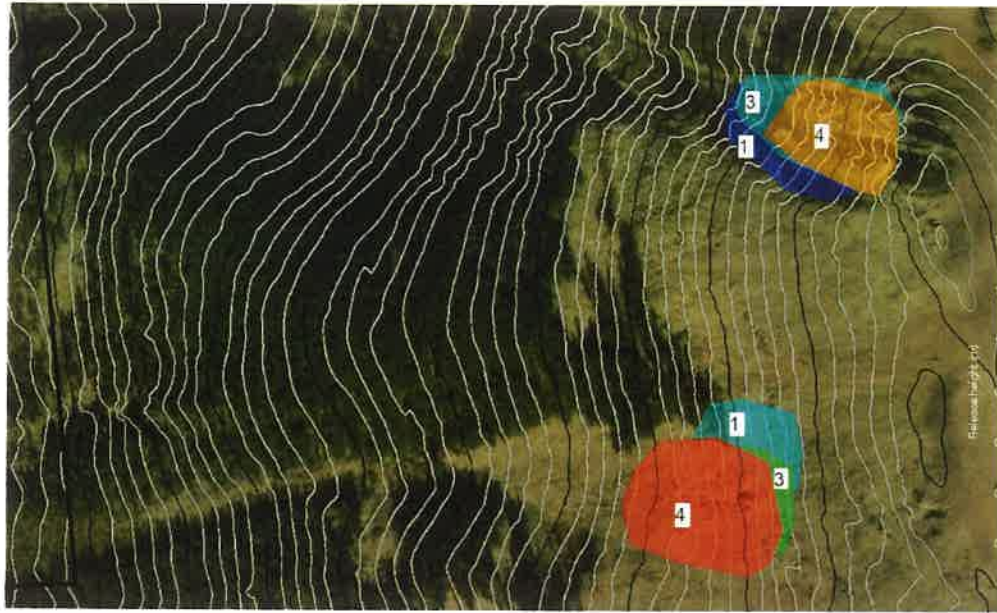
Release areas - Northside



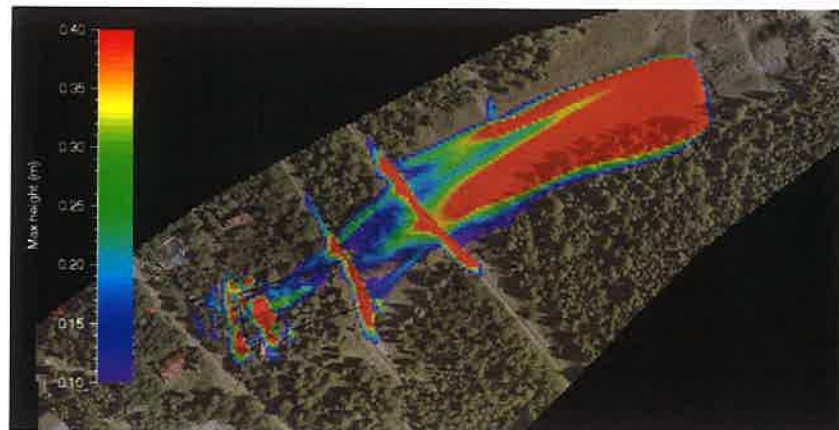
Release areas – Dog leg area



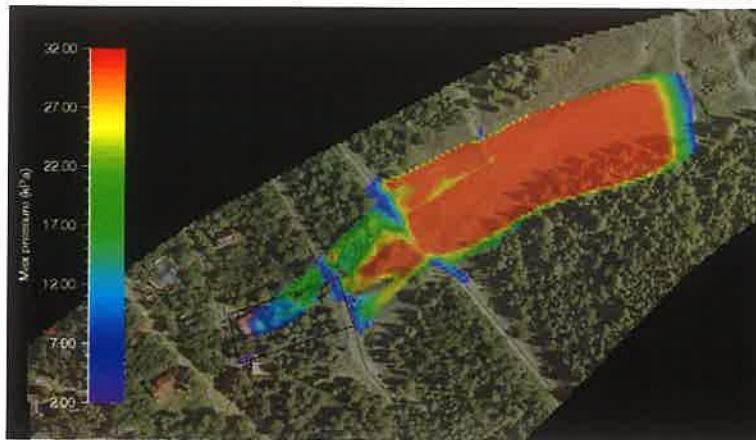
Release areas - Mineslide



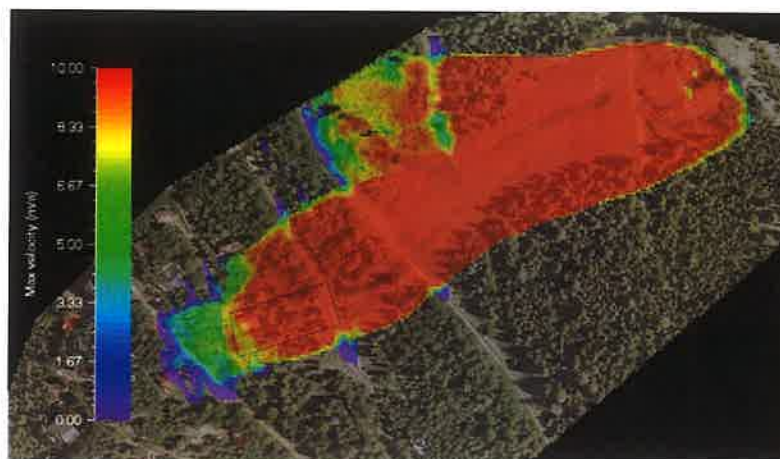
Release areas – Frazer, Bavarian



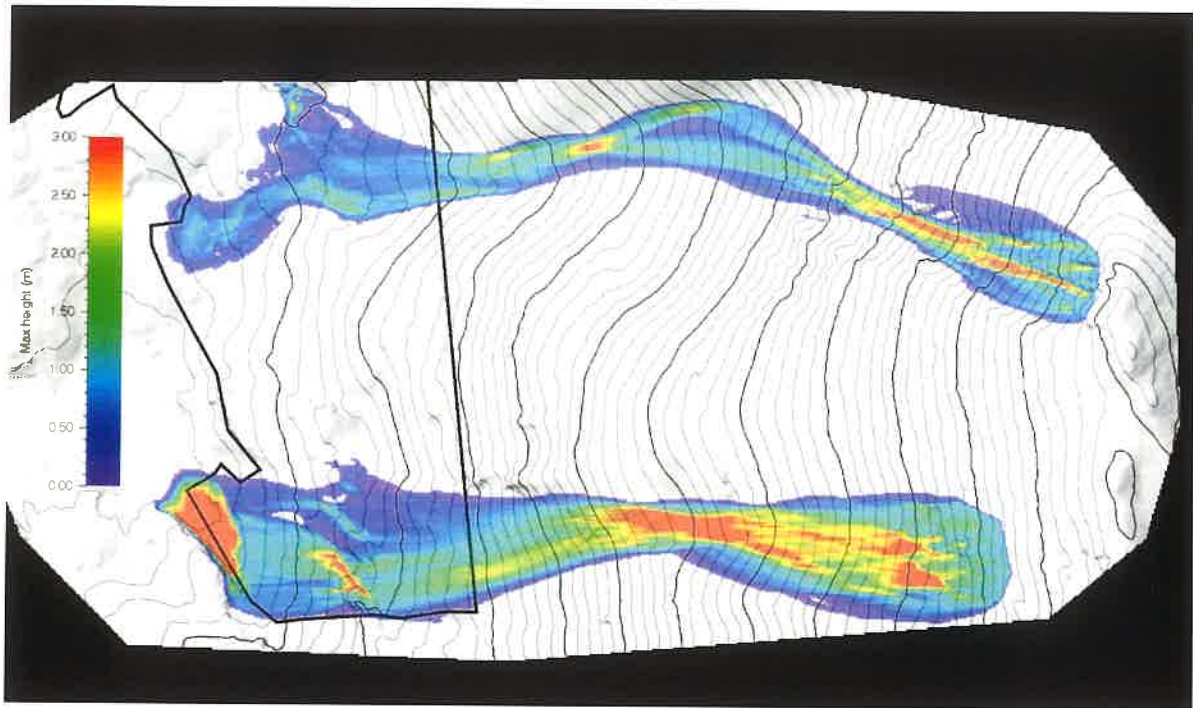
Mineslide Run 24 – height



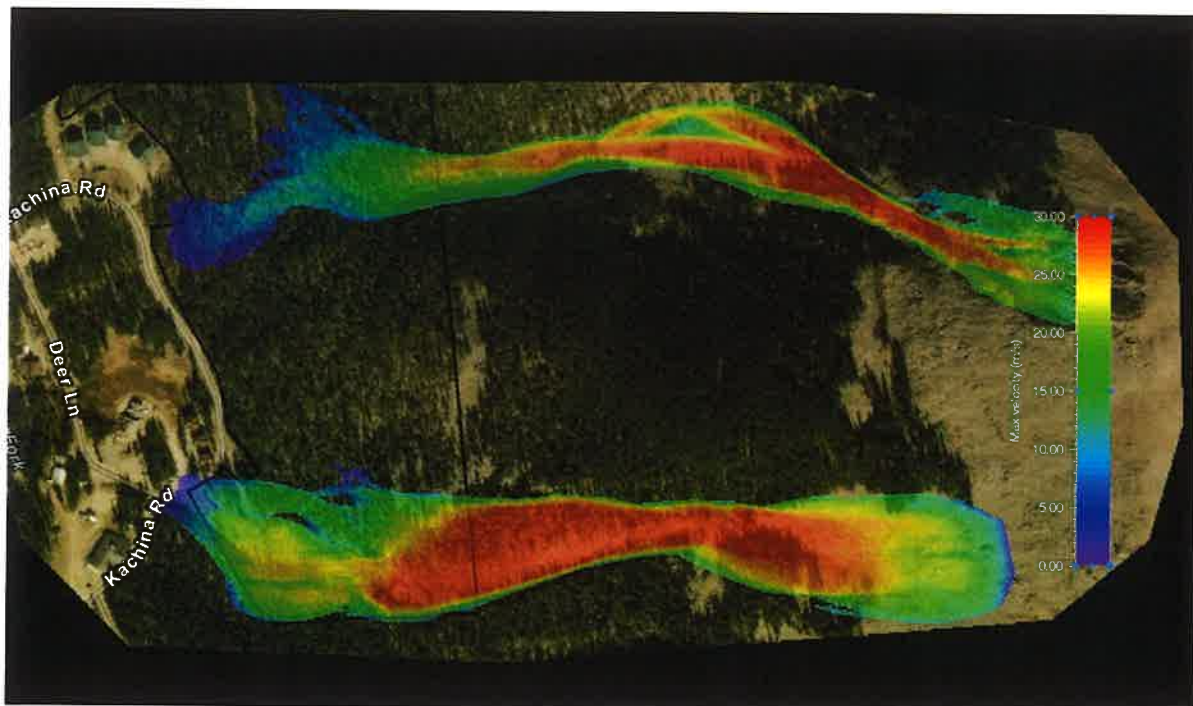
Mineslide Run 24 – pressure



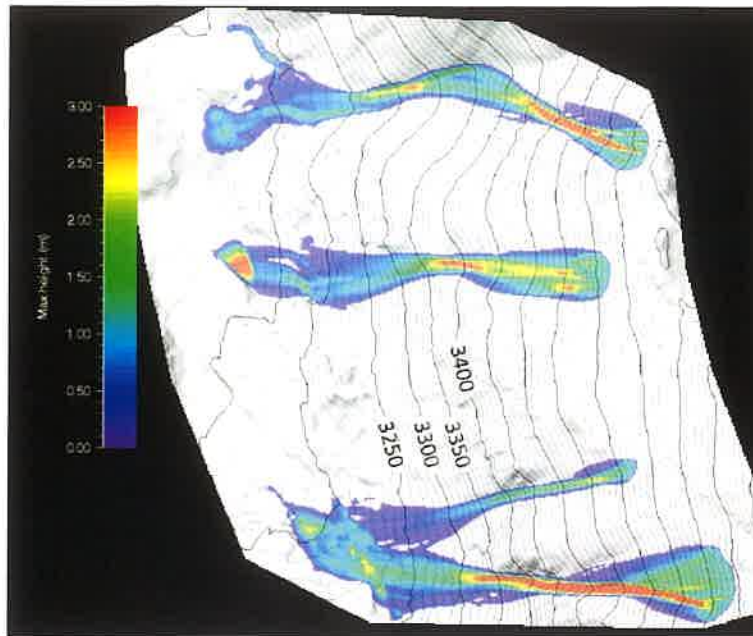
Mineslide Run 27 – velocity



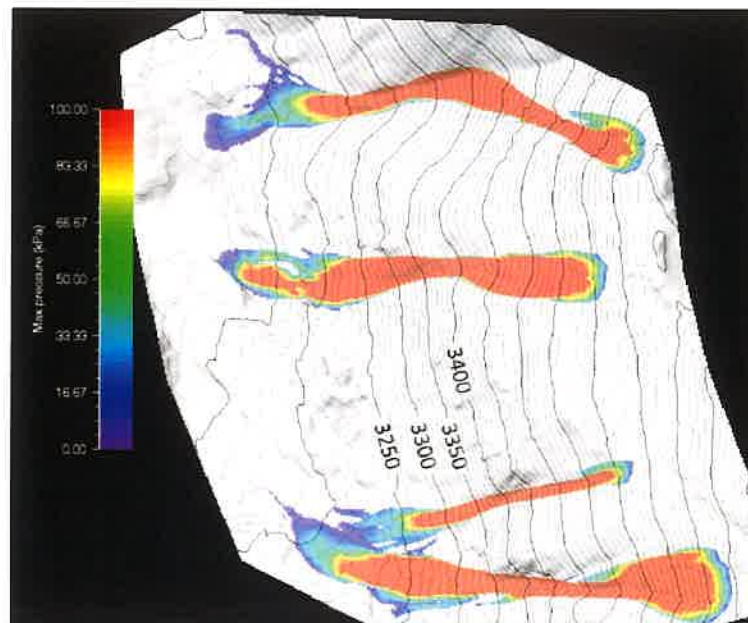
Run 36 – maximum flow heights, Bavarian & Frazier Mtn.



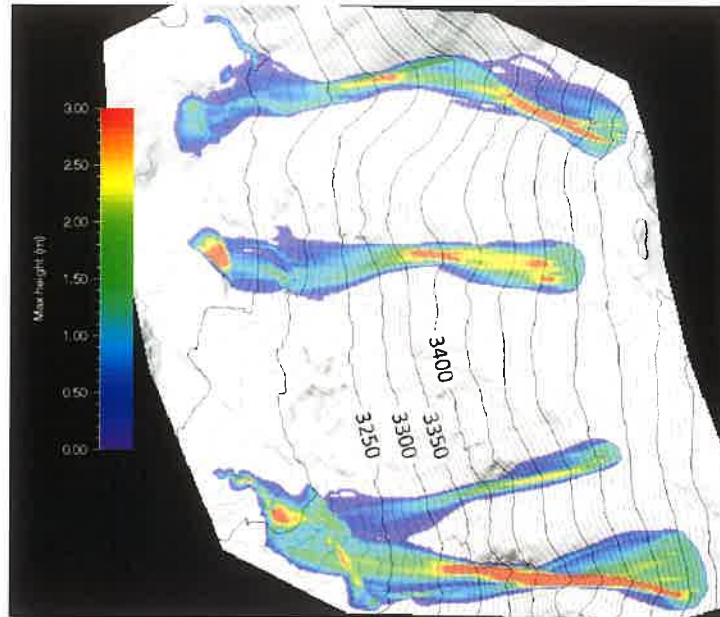
Run 36 – maximum velocities, Bavarian & Frazier Mtn.



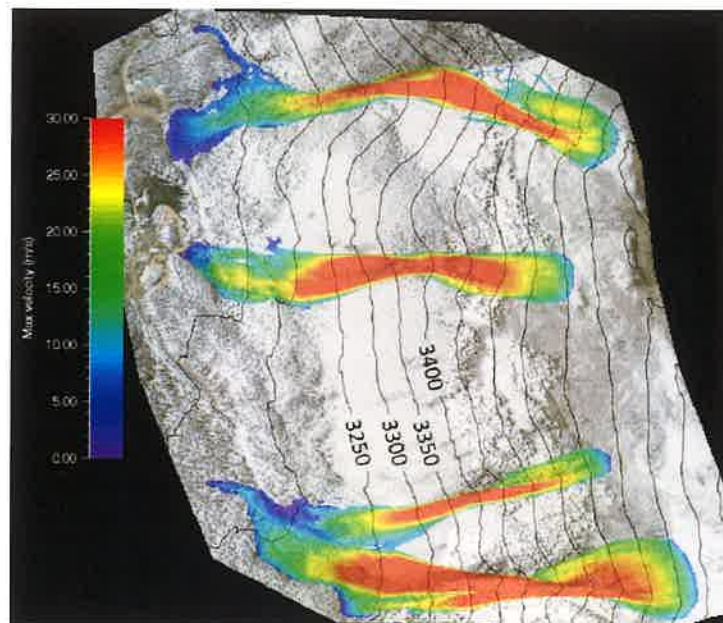
Run 43 – maximum flow heights, Frazier, Bavarian, Bong, Peace



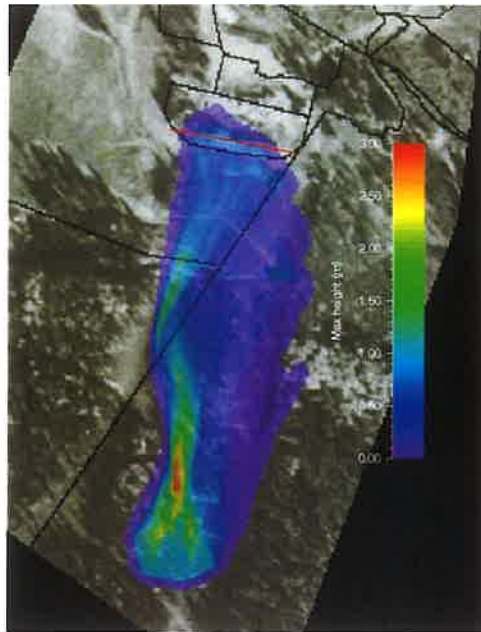
Run 43 – maximum pressures, Frazier, Bavarian, Bong, Peace



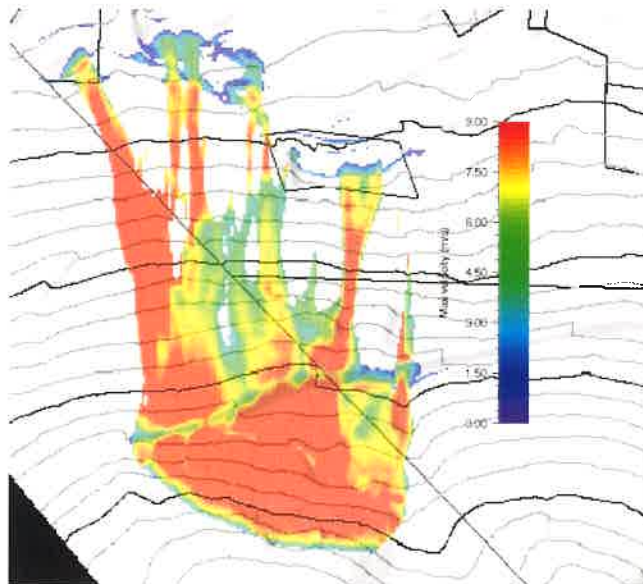
Run 44 – maximum flow heights, Frazier, Bavarian, Bong, Peace



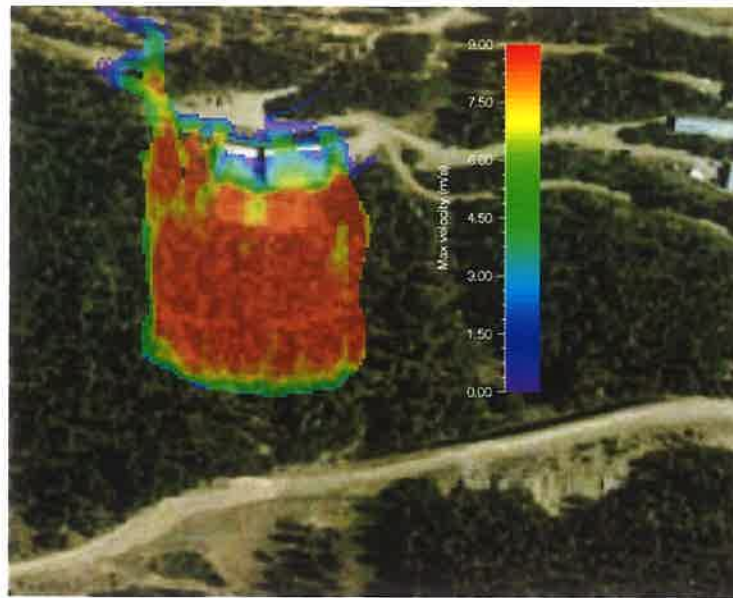
Run 44 – maximum pressures, Frazier, Bavarian, Bong, Peace



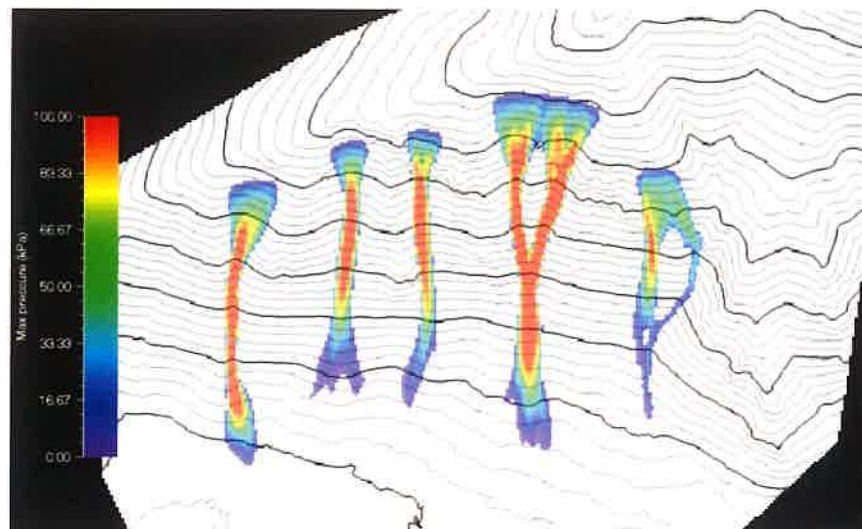
HSB Run 6 – height



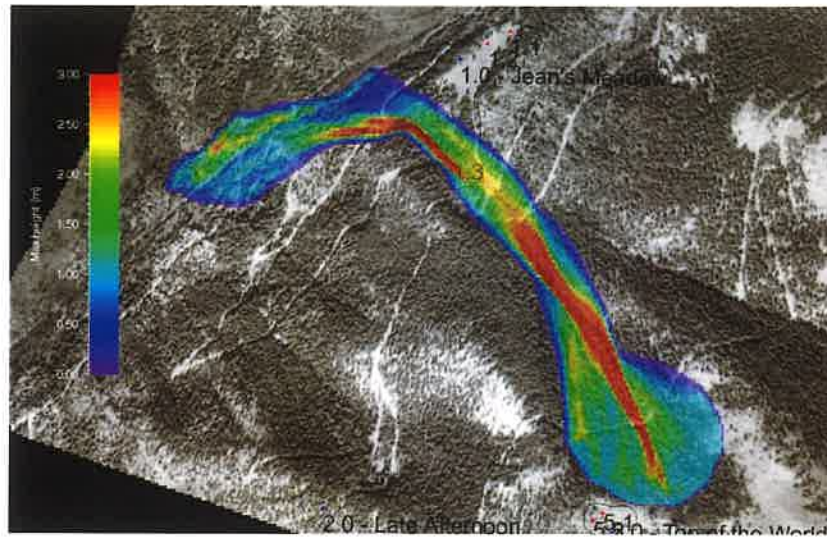
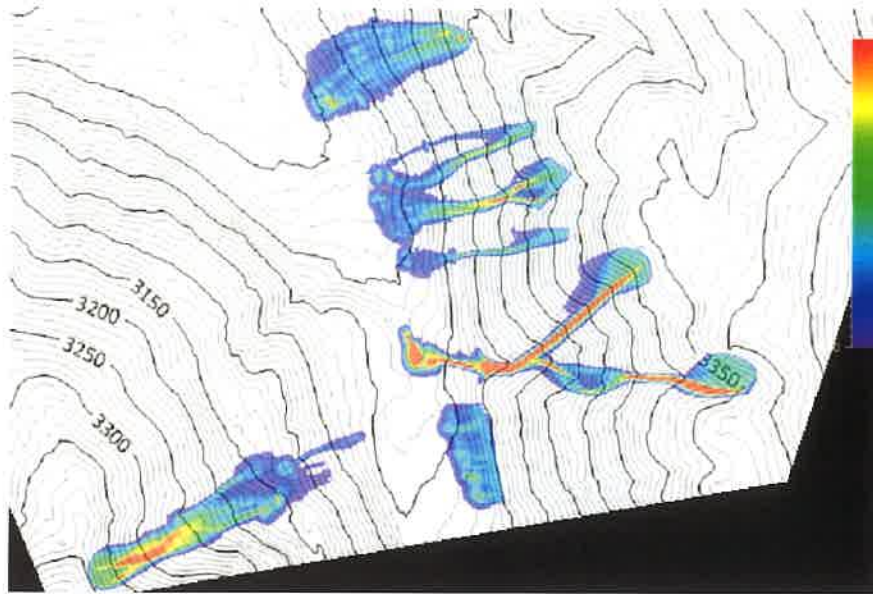
Snowbear Run 4 – height



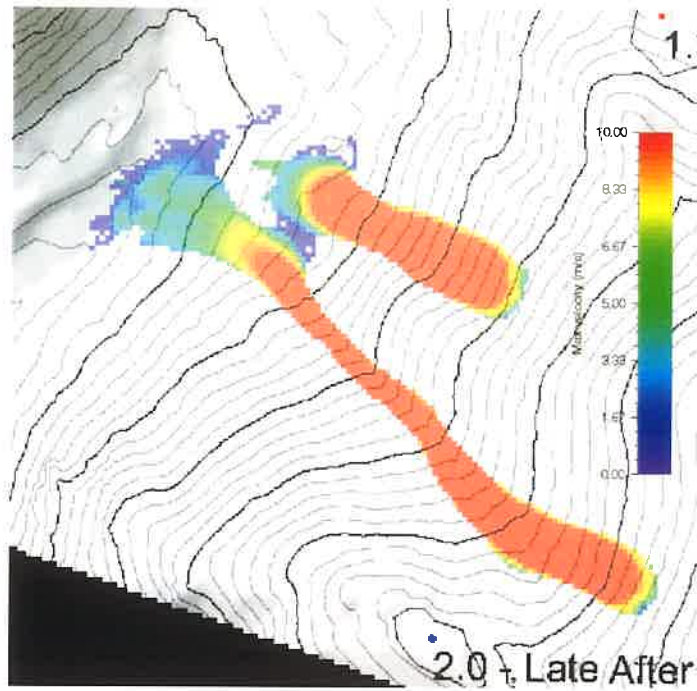
Snowbear Run 3 – height



Amizette Run 11 – height



Northside Run 3 – height



Northside Run 12 – velocity

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Authorizing the Mayor Pro Tem Wittman to represent the Village in the Mediation and to Negotiate and enter into a settlement on behalf of the Village with Ovivo USA LLC.

DATE: August 22, 2023

PRESENTED BY: John Appel, Village Council/John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village of Taos Ski Valley and Integrated Water Services, Inc. ("IWS") have brought the referenced lawsuit against Ovivo USA, LLC ("Ovivo") and its surety, Liberty Mutual Insurance Co. ("Liberty Mutual"). Plaintiffs claim that components provided by Ovivo were defective in that they failed to perform as advertised and did not meet the minimum specifications for the Wastewater Treatment Plant upgrade project. Plaintiffs originally filed suit in the District Court for Taos County, New Mexico, and Defendants then removed the case to the U.S. District Court based on diversity jurisdiction. (Both Ovivo and Liberty Mutual have their main offices outside New Mexico.) The New Mexico Public Works Mediation Act, Sections 13-4C-1 to -11, NMSA 1978, requires that disputes relating to public works projects must first be submitted for non-binding mediation before being pursued in court.

Consequently, in the pending case, the parties have agreed to submit the dispute to Steve Nelson, a very experienced mediator for construction contract disputes. The mediation has been set for August 31, 2023, starting at 8:30 a.m. MDT (on Zoom) and potentially continuing all day and into the evening. The U.S. District Court case has been stayed until mid-September to give the parties an opportunity to seek resolution through mediation. Mediation rules require that there be someone present with authority to settle the case on behalf of each party, if a mutually acceptable settlement is reached.

The logical person to be granted that authority by the Village Council is the Mayor Pro Tem, or the Village of Taos Ski Valley may convene a Special Closed Session meeting for the day.

STAFF RECOMMENDATION: Staff therefore recommend that the Village Council grant authority to the Mayor Pro Tem to participate in the mediation on August 31, 2023, and have authority to settle the case if the Defendants agree to a reasonable settlement that provides appropriate compensation to the Village.

COPPLER LAW FIRM, P.C.

A PROFESSIONAL CORPORATION

FRANK R. COPPLER
GERALD A. COPPLER*
JOHN L. APPEL
JOSHUA D. HOWARD

ATTORNEYS AND COUNSELORS AT LAW
645 DON GASPAR AVENUE
SANTA FE, NEW MEXICO 87505

TELEPHONE
(505) 988-5656

TELECOPIER
(505) 988-5704

* also licensed in Texas

August 17, 2023

Mayor Pro Tem and Governing
Body of the Village of Taos Ski Valley

Re: *Village of Taos Ski Valley and Integrated Water Services, Inc. v. Ovivo USA, LLC and Liberty Mutual Ins. Co.*, No. 1:23-cv-00297-GJF-SCY, U.S. District Court for the District of New Mexico
AUTHORIZATION FOR SETTLEMENT AUTHORITY
Our No. 4194.04

Mayor Pro Tem and Councilors:

As you know, the Village of Taos Ski Valley and Integrated Water Services, Inc. ("IWS") have brought the referenced lawsuit against Ovivo USA, LLC ("Ovivo") and its surety, Liberty Mutual Insurance Co. ("Liberty Mutual"). Plaintiffs claim that components provided by Ovivo were defective in that they failed to perform as advertised and did not meet the minimum specifications for the Wastewater Treatment Plant upgrade project. Plaintiffs originally filed suit in the District Court for Taos County, New Mexico, and Defendants then removed the case to the U.S. District Court based on diversity jurisdiction. (Both Ovivo and Liberty Mutual have their main offices outside New Mexico.)

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Mediation rules require that there be someone present with authority to settle the case on behalf of each party, if a mutually acceptable settlement is reached. The logical person to be granted that authority by the Village Council is the Mayor Pro Tem.

We therefore recommend that the Village Council grant authority to the Mayor Pro Tem to participate in the mediation on August 31, 2023, and have authority to settle the case if the Defendants agree to a reasonable settlement that provides appropriate compensation to the Village and to IWS.

COPPLER LAW FIRM, P.C.

John L. Appel

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Resolution No. 2024-547, the Village of Taos Ski Valley 2025-2029 Infrastructure & Capital Improvements Plan (ICIP).

DATE: August 22, 2023

PRESENTED BY: Patrick Nicholson, Director of Planning & Community Development

STATUS OF AGENDA ITEM: New business

CAN THIS ITEM BE RESCHEDULED: Not Recommended due to submission deadline.

BACKGROUND INFORMATION: The Village ICIP is prepared annually for submission to the NM Department of Finance & Administration. It establishes Village policy and project funding priorities for the five-year period FY 2025-29. Unlike the Capital Improvements Plan (CIP), the ICIP contains a vast assortment of desirable and necessary projects proposed by Village department directors and elected officials. Considerable work remains to identify and secure project funding, designate a Village project manager, coordinate project planning and development across departments, and eventually manage construction activities. Department directors developed, reviewed, and approved this year's ICIP submission.

RECOMMENDATION: Staff recommends the Village Council approve Resolution No. 2024-547 approving the Village of Taos Ski Valley 2025-2029 Infrastructure & Capital Improvements Plan.



RESOLUTION No. 2024-547

**ADOPTING THE 2025-2029
INFRASTRUCTURE & CAPITAL IMPROVEMENTS PLAN**

WHEREAS, the Village of Taos Ski Valley recognizes that the financing of public capital projects is a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long-range capital planning efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL, that:

1. The Village Council adopts the attached FY 2025-2029 Infrastructure & Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the Village of TSV and New Mexico's infrastructure.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2023.

THE VILLAGE OF TAOS SKI VALLEY

Tom Wittman
Mayor Pro Tem

Attest:

Ann Wooldridge
Village Clerk

Vote: For _____ Against _____

2025-2029 VTSV INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN

FY Year & Priority	Project Name	Total Cost	Funded	Unfunded	2025	2026	2027	2028	2029
25.1	Water Line Repairs System Wide	\$ 10,000,000	\$ 1,750,000	\$ 8,250,000	\$ 3,000,000	\$ 2,000,000	\$ 2,000,000	\$ 1,500,000	\$ 1,500,000
25.2	Wastewater Treatment Plant Expansion Adjustments	\$ 2,000,000	\$ -	\$ 2,000,000	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -
25.3	Plan, Design, Construct, and Equip New Village Hall, including Renovated PS Bays	\$ 3,850,000	\$ -	\$ 3,850,000	\$ 1,850,000	\$ 1,500,000	\$ 500,000	\$ -	\$ -
25.4	Purchase, Equip, and Outfit Primary Fire Station #1	\$ 2,500,000	\$ -	\$ 2,500,000	\$ 2,500,000	\$ -	\$ -	\$ -	\$ -
25.5	Twining Rd. Reconstruction Phase, incl. utilities, drainage, safety improvements	\$ 12,200,000	\$ -	\$ 12,200,000	\$ 4,800,000	\$ 4,500,000	\$ 2,900,000	\$ -	\$ -
25.6	Purchase, Design, and Equip EMS Medical Unit	\$ 400,000	\$ -	\$ 400,000	\$ -	\$ 400,000	\$ -	\$ -	\$ -
26.1	New System Integrated Kachina Water Lines	\$ 600,000	\$ -	\$ 600,000	\$ -	\$ 325,000	\$ 275,000	\$ 600,000	\$ 600,000
26.2	Acquire Snow Storage Land & Easements	\$ 1,800,000	\$ -	\$ 1,800,000	\$ -	\$ 600,000	\$ -	\$ -	\$ -
26.3	Multi-Purpose Trails (Amizette to Kachina) Planning, Acquisition, and Development	\$ 375,000	\$ -	\$ 375,000	\$ -	\$ 250,000	\$ 125,000	\$ -	\$ -
27.1	Water Line Upgrades and Expansion - Bull of the Woods	\$ 1,200,000	\$ -	\$ 1,200,000	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -
27.2	WasteWater Line Upgrades and Expansion - Bull of the Woods	\$ 1,450,000	\$ -	\$ 1,450,000	\$ -	\$ -	\$ 1,450,000	\$ -	\$ -
27.3	Phoenix Spring Redevelopment & Repair (Planning, Engineering, & Construction)	\$ 600,000	\$ -	\$ 600,000	\$ -	\$ -	\$ 350,000	\$ 250,000	\$ -
27.4	Road Grader	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -	\$ 250,000	\$ -	\$ -
27.5	Fire Station #2 Upgrade	\$ 1,800,000	\$ -	\$ 1,800,000	\$ -	\$ -	\$ 900,000	\$ 900,000	\$ -
28.1	Porcupine and Zaps Roads Improvements	\$ 2,706,700	\$ -	\$ 2,706,700	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 1,206,700
28.2	Public Safety Bldg. Amizette (Plan, Design, and Construction)	\$ 2,650,000	\$ 1,200,000	\$ 1,450,000	\$ -	\$ -	\$ -	\$ 1,250,000	\$ 200,000
28.3	Purchase Police Vehicles and Equipment	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000	\$ -
28.4	Kachina Wetland Park Improvements	\$ 125,000	\$ -	\$ 125,000	\$ -	\$ -	\$ -	\$ 125,000	\$ -
28.5	WasteWater Line Upgrades and Expansion - Amizette	\$ 6,694,584	\$ -	\$ 6,694,584	\$ -	\$ -	\$ -	\$ 4,694,584	\$ 4,000,000
28.6	Water Line Upgrades and Expansion - Amizette	\$ 3,750,000	\$ -	\$ 3,750,000	\$ -	\$ -	\$ -	\$ 2,750,000	\$ 1,000,000
28.7	Fire Rescue Truck Purchase, Design, Equip	\$ 450,000	\$ -	\$ 450,000	\$ -	\$ -	\$ -	\$ 400,000	\$ 50,000
28.8	Gunsite Springs Engineering, Design, Construction and Distribution Lines	\$ 1,750,000	\$ -	\$ 1,750,000	\$ -	\$ -	\$ -	\$ 1,750,000	\$ -
28.9	Helipad Site Acquisition & Development	\$ 750,000	\$ -	\$ 750,000	\$ -	\$ -	\$ -	\$ 400,000	\$ 350,000
29.1	Kachina Road Improvements	\$ 3,289,150	\$ -	\$ 3,289,150	\$ -	\$ -	\$ -	\$ -	\$ 3,289,150
29.2	Pumper Vacior Truck - Purchase and Equip (PW)	\$ 175,000	\$ -	\$ 175,000	\$ -	\$ -	\$ -	\$ -	\$ 175,000
29.3	Public Safety Repeater Building	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000
29.4	Hiker Parking Lot Expansion or Additional Location and Improvements	\$ 350,000	\$ -	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ 350,000
29.5	Snow Dragon (snow melt)	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000
29.6	Dumptruck	\$ 125,000	\$ -	\$ 125,000	\$ -	\$ -	\$ -	\$ -	\$ 125,000
29.7	MultiHog Attachment - Trilety Street Sweeper	\$ 70,000	\$ -	\$ 70,000	\$ -	\$ -	\$ -	\$ -	\$ 70,000
29.8	Ladder Truck (Fire Dept.)	\$ 2,250,000	\$ -	\$ 2,250,000	\$ -	\$ -	\$ -	\$ -	\$ 2,250,000
	SubTotal (excluding funded projects)	\$ 61,660,434	\$ -	\$ 61,660,434	\$ 14,150,000	\$ 9,575,000	\$ 9,950,000	\$ 16,269,584	\$ 15,415,850
	Funded Projects:	\$ 2,950,000	\$ 2,950,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Total all Projects from 2024 to 2028	\$ 64,610,434	\$ 2,950,000	\$ 61,610,434	\$ -	\$ -	\$ -	\$ -	\$ -
	* CIP projects noted in green, contributions eligible for DIF credit								
	** Public Safety includes Police, Fire, & EMS								

**Village Council
Agenda Item**

AGENDA ITEM TITLE: Consideration to Approve **Resolution 2024-548** Authorizing and Approving Submission of a completed Application for Financial Assistance and Project Approval to the Water Trust Board (WTB) and New Mexico Finance Authority

DATE: August 22, 2023

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Water Trust Board (WTB) a 16 member body created by the Water Project Finance Act (the Act) recommends a list of projects to the Legislature to be authorized for Funding from the Water Project Fund. The NM Finance Authority (NMFA) annually accepts applications for water projects to be funded by the Water Project Fund. The act requires the WTB to prioritize projects that: leverage local and federal funds; are shovel ready; are identified as “urgent to meet the regional water plan” accepted by the interstate Stream Commission and implement the State Water Plan.

The Village has need of water system development funding as priority projects and has submitted a Notice of Intent to apply for WTB grants. The Village has applied for the WTB funding in the past for the Kachina Tank Construction, but with each additional submittal the requirements are more stringent. The Village may qualify for some waiver as there are less than 250 services and the planned upgrades are to incorporate previously unserved customers.

STAFF RECOMMENDATION: Approve Authorization to submit the WTB grant application and plan to continue review of further resolutions as the process develops.

RESOLUTION NO 2024-548

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE WATER TRUST BOARD AND NEW MEXICO FINANCE AUTHORITY

WHEREAS, the Village Council of the Village of Taos Ski Valley ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the Village of Taos Ski Valley ("Governing Body") is authorized to apply for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Authority") has instituted a program for financial assistance of projects through the Water Trust Board, Water Project Fund NMSA 1978, 72-4A-5 and NMSA 1978 72-4A-9 created under the Act and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Water Trust Board Authority for public projects; and

WHEREAS, the Governing Body intends to (design, construct repairs and replacement of water lines Village wide), complete (design, construction of the Kachina Area Booster Pump and distribution system), Design, construct and equip infiltration galleries (including treatment/distribution for Gun Site and Bull of the Woods springs) and (plan, design, equip, construct water distribution systems to Amizette and Bull of the Woods Areas) for the benefit of the Governmental unit and its citizens; and

WHEREAS, The Water Trust Board \$13,500,000.00 application requirements for the Village Median Household Income level is a 20% match requirement in the amount of \$2,700,000.00 and repayment of the 10% loan in the amount of \$1,350,000.

WHEREAS, the application prescribed by the Authority completed and will be submitted to the Governing Body before September 15, 2023. This resolution approving submission of the completed Application to the Authority for its consideration and review is a required part of the Application process.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY:

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing body and the officers and employees thereof directed toward the Application and the Project, is hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body, be and the same is hereby approved and confirmed.

Section 3. That the Taos Ski Valley is committed to, and the mayor is hereby authorized and directed to pursue obtaining the match funding needed for the project and will exhaust all options to successfully complete the funding package, including investigating waiver options provided through the Water Trust Board Management Policies.

Section 4. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Authority for its review and are further authorized to take such

other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 5. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled, and repealed.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSES APPROVED AND ADOPTED this 22nd day of August, 2023:

TOM WITTMAN, Mayor Pro-Tem

(Seal)

ATTEST:

ANN M. WOOLDRIDGE, Village Clerk

NOTICE OF INTENT TO APPLY FOR 2024 WATER TRUST BOARD FUNDING

This Notice of Intent ("NOI") serves as i) notification of the Applicant's desire to apply for Water Trust Board ("WTB") funding for the 2024 cycle, and ii) the initial step of the enrollment process to access the New Mexico Finance Authority's ("NMFA") online application and account system, EnABLE™ ("EnABLE") for WTB funding. WTB funding applications may only be submitted via EnABLE.

Enrollment involves completing this NOI to identify the individual who will be the Primary Contact for submitting the application.

Through this NOI, the applicant may also request access for a Secondary Contact and up to two Designated Consultants who may assist in the application and upload documentation. Access for additional contacts or consultants may be requested through WTBAdmin@nmfa.net.

Upon receipt of a properly completed NOI, the NMFA will send, by email, confirmation of our acceptance of your enrollment, and, if applicable, our acceptance of the enrollment of any additional contacts or consultant to use EnABLE, along with an assigned User name and temporary Password. To access EnABLE, a user will be asked to submit a correct User name and Password, as well as acknowledge certain terms of use.

I. APPLICANT INFORMATION:

Applicant Name:	Village of Taos Ski Valley
Applicant Mailing Address:	PO Box100
Applicant Street Address:	7 Firehouse Road
City: Taos Ski Valley	State: NM
County: Taos	Zip: 87525
Email: javila@vtsv.org	Phone: 575-776-8220

APPLICANT LEGAL ENTITY TYPE (Check One):

<input type="checkbox"/>	Authority (specify):
<input checked="" type="checkbox"/>	Municipal or County Government
<input type="checkbox"/>	Mutual Domestic/Sanitary Projects Act Entity
<input type="checkbox"/>	Special District (specify):
<input type="checkbox"/>	Tribe or Pueblo
<input type="checkbox"/>	Other (specify):

APPLICANT PRIMARY CONTACT (Authorized to Submit Application and Request Access for EnABLE users)		
Name: John Avila		Title: Village Administrator
Mailing Address: PO Box 100		
City: Taos Ski Valley	State: NM	Zip: 87525
Email: javila@vtsv.org	Phone: 575-776-8220	

APPLICANT SECONDARY CONTACT (Authorized to Access EnABLE Application System)		
Name: Anthony Martinez		Title: Director Public Works
Mailing Address: PO Box 100		
City: Taos Ski Valley	State: NM	Zip: 87525
Email: amartinez@vtsv.org	Phone: 575-776-8220	

Consultant Authorized to Access EnABLE Application System		
Name: Charles Thomas		Title: President
Firm: Petroglyph		
Mailing Address: 5301 Hayes Dr. NW,		
City: Albuquerque	State: NM	Zip: 87120
Email: chuck@petroglyphconsulting.com	Phone: 505-999-7618	

Consultant Authorized to Access EnABLE Application System		
Name: Tappan mahoney		Title: President
Firm: Dennis Engineering		
Mailing Address: 6020 Indian School Road NE		
City: Albuquerque	State: NM	Zip: 87110
Email: Tappan@decnm.com	Phone: 1-833-332-1753	

IV. DECLARATION OF PROJECT URGENCY

Section 1.3 of the Water Trust Board Project Management Policies provides additional consideration to projects that are deemed Urgent. Does your project meet any of the following definitions of Urgent (check all that are applicable) and <u>attach evidence of the determination from a Cabinet Secretary or designee.</u>		
Public Health Threats: Projects that address existing and imminent public health threats resulting from waterborne disease outbreak and inadequate water supply.	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Safe Drinking Water Act Compliance: Projects that address existing and imminent threats resulting from acute and chronic risk contaminants. System must demonstrate that it has received three violations in the past year.	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Wildfire Public Safety: Watershed projects that modify or break up fuels in such a way as to lessen catastrophic fire and its threat to public safety and damage to property?	<input type="radio"/> Yes	<input type="radio"/> No
Dam Safety: Projects that correct safety deficiencies identified by the Office of the State Engineer and restore dams to a satisfactory condition.	<input type="radio"/> Yes	<input type="radio"/> No
Other: Does your project address other conditions declared an emergency by the Governor of New Mexico or by a Cabinet Secretary of a state agency? If yes, briefly describe the emergency conditions:	<input type="radio"/> Yes	<input type="radio"/> No

V. REGULATORY COMPLIANCE CHECKLIST

Section 3.2E of the Water Trust Board Project Management Policies requires applicants to begin working directly with regulatory agencies that will certify compliance with all relevant regulations as part of the Readiness Application. Check all that are applicable for the proposed project.	
Water Rights (OSE): Verification of sufficient water rights as required for proposed project.	<input checked="" type="checkbox"/>
Safe Drinking Water Act Compliance (NMED-DWB): Full compliance with Safe Drinking Water Act and all relevant New Mexico Environment Department regulatory requirements. <i>Please indicate if the project will cure the compliance issue.</i>	<input checked="" type="checkbox"/>
Dam Safety (OSE): Any project that involves designing or construction a new impoundment, dam or reservoir; or repairing an existing dam or reservoir must submit the design to OSE Dam Safety Bureau to assess whether additional permitting is required prior to obtaining public funding.	<input type="checkbox"/>
Water conservation plan/drought management plan (OSE): Any entity that supplies, distributes or otherwise provides at least five hundred acre-feet or water annually for domestic commercial, industrial or government customers for other than agricultural purposes may develop, adopt and submit to the state engineer, a comprehensive water conservation plan, including a drought management plan.	<input type="checkbox"/>

II. PROJECT INFORMATION

Project Name: Water Line Replacement

Amount Requested: \$ 13,500,000

Note: Per WTB policy, Applicants may not receive more than 15% of the available funds in any year. The available funding for the 2024 cycle is estimated to be \$133.1 million (\$20 million 15% CAP); requests exceeding the 15% will need to be revised at time of application submittal.

Project Type – Check One That Applies

- ☒ Water Storage, Conveyance and Delivery
- ☐ Watershed Restoration and Management
- ☐ Endangered Species Act Collaborative
- ☐ Flood Prevention
- ☐ Water Conservation or Treatment, Recycling or Reuse

III. PROJECT DESCRIPTION

Please provide the Project Location, the Scope of Work to be completed with the requested funding, the Phase or phases to be funded, and a brief description of the Project Goal.

Project Location: Taos Ski Valley

Scope of work: ☒ Planning ☒ Design ☒ Construction (Check all that apply)

Phase or Phases to be Funded:

Project Goal (35 words or less):

To correct nearly 74% unaccounted for water, the Village system requires plan , design and install repairs to system; 40,,000 LF ¾ HDPE service lines, 8 and 6 class 350 DI waterlines with all equipment valves and meters.


VI. APPLICATION RESOLUTION ADOPTION DATE: August 22, 2023

PLEASE PROVIDE THE DATE of Governing Board's Adoption or Expected Adoption of Resolution Authorizing the Submission of an application to the Water Trust Board. *Please note that the resolution is due with the application on September 15, 2023.* Applicants who need additional time to work through their governing body approval process may submit a draft resolution with the application and receive an extension to submit the final resolution by October 13, 2023.

VII. ACKNOWLEDGEMENT: I have reviewed a copy of the **Water Trust Board Project Management Policies Revised and Restated as of August 18, 2022.**

I CERTIFY THAT:

- I have the authority to designate a Primary Contact who will be authorized to submit an application via EnABLE;
- I have the authority to designate local users to access EnABLE;
- I have the authority to designate identified consultants to access EnABLE; and
- To the best of my knowledge, all information contained in this NOI is valid and accurate.

Signature: 
Highest Elected Official/Board Officer

Print Title: Mayor Pro-tem

Print Name: Tom Wittman

Date: July 27, 2023



➤ **Project Funding – Determining the Match**

➤ Match is determined by WTB funding request, Project Type and
***Applicant's/Project area's MHI**

➤ Tribal Applicants and **Projects** not supported by a rate paying constituency can provide an additional match in lieu of the required loan.

➤ Match requirement waived* (Implemented 2023 Cycle) The Board may waive the match requirement for water systems when:

- The Applicant serves fewer than 250 connections and has previously secured WTB funding for the proposed project as defined by planning document; or
- System upgrade is to consolidate with another system; or
- System upgrade/expansion is to incorporate previously unserved customers (not for future development); and
- Applicant has implemented an asset management plan for the current and future maintenance, replacement and repair of the system

*Match waiver is determined at time of readiness application submission

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Development of an Agreement with the North Central Regional Transportation District (NCRTD), the Town of Taos, and Taos County for Shuttle Service during Ski Season.

DATE: August 22, 2023

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

Discussion of how the Village, Town and County can participate with NCRTD programs with a multiyear agreement. The NCRTD would like to propose a multiyear program.

See Attached developing proposal for the TSV winter 2023 service. In order to provide service, this winter NCRTD would like to have the agreement approved in September so that we can start our recruitment process for seasonal drivers shortly after the agreement is approved.

NCRTD September Board meeting is on the 8th so, a draft agreement pending Village approval in their Board packet in September ASAP is optimal.

STAFF RECOMMENDATION: Staff therefore recommend that the Village Council Direct further development of an Agreement with NCRTD and long-term agreements with the Town of Taos and Taos County.

NCRTD 2023

The following is the cost breakdown and funding matrix. Without inserting any numbers into the funding for the Town and County of Taos. Also below is the schedule for the Winter 2023 service.

NCRTD will begin advertising for drivers. Hopefully, they can provide the full-service schedule this year.

Please let me know if you have any questions or if you need any additional information.

Tony

Taos Ski Valley 341 Winter FY 2023

Expenses

Daily bus Service (100 days)	\$196,700 (Fully allocated cost)
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Income

RTGRT, 5311 Contribution (NCRTD)	\$94,247 (10% increase from FY 2022 plus ad
VTSV Contribution	\$102,453
Town of Taos Contribution	\$0
Taos County Contribution	\$0
Total	\$196,700

341 TSV Green

Monday - Sunday

operates 100 days during the ski season, from the third Saturday in December to the fourth Su

Paseo del Pueblo Sur & Chamisa Road SB	Paseo del Pueblo Sur & Chamisa Road NB	Paseo del Pueblo Sur & Roy Road	Paseo del Pueblo Sur & Bertha Street	Paseo del Pueblo & Camino de la Merced	Paseo del Pueblo Sur & Cruz Alta	Paseo del Pueblo Sur & Cervantes St	Paseo del Pueblo Sur & Siler Road
7:30	7:33	7:34	7:36	7:38	7:40	7:42	7:45
7:45	7:48	7:49	7:51	7:53	7:55	7:57	8:00
8:15	8:18	8:19	8:21	8:23	8:25	8:27	8:29
10:35	10:38	10:39	10:41	10:43	10:45	10:47	10:50
12:15	12:18	12:19	12:21	12:23	12:25	12:27	12:30
14:55	14:58	14:59	15:01	15:03	15:05	15:07	15:10
15:25	15:28	15:29	15:31	15:33	15:35	15:37	15:40
15:55	15:58	15:59	16:01	16:03	16:05	16:07	16:10

SOUTI

Taos Ski Valley Lot Warming Hut	NM-150 & NM-230	Arroyo Seco Community Center	NM-150 & Lymon/Las Animas Road	NM-150 & Quail Ridge	NM-150 & US-64	US-64 & Fresquez Road at El Pueblito	Paseo del Pueblo Norte & Brooks Street
8:40	8:54	8:58	9:00	9:04	9:06	9:10	9:14
8:55	9:09	9:13	9:15	9:19	9:21	9:25	9:29
9:35	9:49	9:53	9:55	9:59	10:01	10:05	10:09
11:45	11:59	12:03	12:05	12:09	12:11	12:15	12:19
13:25	13:39	13:43	13:45	13:49	13:51	13:55	13:59
16:05	16:19	16:23	16:25	16:29	16:31	16:35	16:39
16:35	16:49	16:53	16:55	16:59	17:01	17:05	17:09
17:05	17:19	17:23	17:25	17:29	17:31	17:35	17:39

341 TSV Green Seasonal 2023-2024 Service Calendar

December 2023						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

 Active service



MEMORANDUM OF AGREEMENT (MOA)
BETWEEN THE VILLAGE OF TAOS SKI VALLEY AND THE TOWN OF TAOS
UTILIZING THE NORTH CENTRAL RURAL TRANSIT DISTRICT
TO PROVIDE A BUS LINE ROUTE
BETWEEN THE TOWN OF TAOS AND THE VILLAGE OF TAOS SKI VALLEY

This Memorandum of Agreement is entered into this _____ day of October, 2021 by and between the Town of Taos ("Town"), a duly organized and incorporated municipality in the State of New Mexico, and the Village of Taos Ski Valley ("Village"), a duly organized and incorporated municipality in the State of New Mexico for the purpose of utilizing the North Central Rural Transit District (NCRTD) to operate a bus line (Taos Chile Line) route between the Town of Taos and the Village.

WHEREAS, the Village has entered into a MOA (attached) with NCRTD to operate a bus line route between the Town and the Village for the 2021/22 ski season dates of December 18, 2021 to through March 22, 2022;

WHEREAS, the NCRTD is requesting \$90,000.00 to operate based on the attached schedule (exhibit A);

WHEREAS, the Village has committed \$45,000.00, Taos County has committed \$20,000.00, and the Town has committed \$25,000.00 to fund the Taos Green Chile Line 2021/22 ski season operations;

WHEREAS, the NCRTD has worked with the Village, the Town, and County on the Taos Green Chile Line service schedules (attached);

WHEREAS, all parties understand that this service will provide needed and convenient bus service for employees, visitors, and residents, as well as to support tourism;

NOW, THEREFORE IT IS AGREED between the parties as follows:

1. Service Provided. Bus services provided are outlined on service schedules (attachment A) and dependent on the terms in the MOA between NCRTD and the Village. No fares will be charged.
2. Term of Service. Funding is for full bus service from December 18, 2021 to through March 22, 2022.

3. Sum Paid to the Village. The Village will act as the fiscal agent with NCRTD. Once supporting documentation is provided that the Village has expended funds to the NCRTD, the Town agrees to pay the sum of \$25,000.00 to the Village.
4. Liability. As between the parties, each party shall be solely responsible for fiscal or other sanctions, penalties or fines occasioned as a result of its own violation or alleged violation of requirements applicable to performance of this Agreement. Each party shall be liable for its acts or failure to act in accordance with this Agreement, subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, § 41-4-1 through 41-4-27. The parties hereto agree that this document is not intended, by any provisions or part hereof, to create any right to maintain a suit, claim or cause of action of any type whatsoever or however designated, by any individual or third party that is based upon, related to or arising out of any of the provisions of this Agreement.
5. Appropriations and Authorizations. This Agreement is contingent upon there being sufficient appropriations available and sufficient legal authority. Each party shall be the sole and final determiner of whether sufficient appropriations and legal authority exist for their local government. If this Agreement encompasses more than one fiscal year, this Agreement is contingent upon continuing appropriations being available.
6. Termination. This Agreement may be terminated at will, by either party, with or without cause. Termination shall be by written notice which shall be delivered or mailed (certified mail, return receipt) to the other party. If notice is by mail, notice (i.e., the effective day of termination) will be deemed to be effective thirty (30) calendar days from the date of the postmark. If notice is hand-delivered, termination is effective thirty (30) days from the time of delivery to the other party (personally or at his/her office) or when delivered to the Town Office or Village Office. If the Town terminates this contract, no refund will be forthcoming from the Village. In no event shall termination nullify obligations of either party prior to the effective date of termination.
7. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this Agreement is void, or otherwise unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.
8. Scope of Agreement. This Agreement incorporates all of the agreements and understandings between the parties. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in this contract.
9. Amendment(s) to this Agreement. This Agreement shall not be altered, changed, modified or amended, except by instrument, in writing, executed by both parties.
10. Applicable Law. This Agreement shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules and regulations of the Village/Town. Any legal proceeding brought against the Town, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, and State of New Mexico.

11. Illegal Acts. Pursuant to N.M.S.A. 1978 (as amended), § 13-1-191, it shall be unlawful for either party to engage in bribery, offering gratuities with the intent to solicit business, or offering or accepting kickbacks of any kind. All other similar act(s) of bribes, gratuities and/or kickbacks are likewise hereby prohibited.

IN WITNESS HEREOF, the parties have executed the Agreement as of the date first written above.

TOWN OF TAOS

Daniel R. Barrone, Mayor

Date signed

ATTEST:

Francella Garcia, Town Clerk

Budget Line Item: 29-00-44005

ADMINISTRATIVE APPROVAL:

Richard Bellis, Town Manager

Date signed

APPROVED AS TO FORM:

Town Attorney

Date signed

VILLAGE OF TAOS SKI VALLEY

Christof Brownell, Mayor

Date signed

ATTEST:

Ann M. Wooldridge, Village Clerk

Marietta Fambro, Finance Director

Date signed

APPROVED AS TO FORM

Village Attorney

Date signed

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve developing a Memorandum of Agreement with the Enchanted Circle entities for Mutual Assistance of Water and Wastewater Operators, Equipment Operators and Building Official services.

DATE: August 22, 2023

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

During the Taos County/Village of Taos Ski Valley Joint Work Study of August 15, 2023 there was discussion of how the entities could share resources and support especially during an emergency, and during further discussion of procedures and projects to form the basis of an agreement it was decided that this required further study and planning. An effort toward agreements between entities now has some momentum and Staff can build the foundation for eventual Agreements to be adopted.

STAFF RECOMMENDATION: Staff therefore recommend that the Village Council direct the Administration to further develop agreements to cooperatively engage our County and Town counterparts for processes to share the above skills and resources.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Finalizing Draft Memorandum of Agreement for Creation of the Enchanted Circle Regional Fire Protection Association

DATE: August 22, 2023

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Fire Departments of the Enchanted Circle would like to enter into an agreement to provide mutual assistance and coordinate efforts and resources to address fire dangers at a regional level and provide support to fellow firefighters in the region. They have drafted an initial agreement that they would like to bring to elected officials for approval in the near future.

STAFF RECOMMENDATION:

Direct staff to further develop the MOA with regional Fire Departments for approval from elected officials.

MEMORANDUM OF AGREEMENT (MOA)

AMONG

THE TOWN OF TAOS
THE VILLAGE OF TAOS SKI VALLEY
THE VILLAGE OF ANGEL FIRE
THE VILLAGE OF EAGLE NEST
THE TOWN OF RED RIVER
THE VILLAGE OF QUESTA
THE COUNTY OF TAOS
THE COUNTY OF COLFAX
THE COUNTY OF MORA
THE COUNTY OF RIO ARRIBA

FOR THE CREATION OF
"THE ENCHANTED CIRCLE REGIONAL FIRE PROTECTION
ASSOCIATION"

THIS AGREEMENT IS ENTERED into by and between the Town of Taos, the Village of Taos Ski Valley, the Village of Angel Fire, the Village of Eagle Nest, the Town of Red River, the Village of Questa, County of Taos, County of Colfax, County of Mora, and County of Rio Arriba

RECITALS:

- A. All parties to this agreement are local governments as defined under the laws of the State of New Mexico.
- B. All parties to this Agreement are located within a geographic region of the State of New Mexico known as the Enchanted Circle.
- C. The control of structural and wildland fires within the individual and collective jurisdictions of all parties is essential to protect public safety, community infrastructure, and natural resources, and has been determined to be in the best interest of each party.
- D. The control of fires may require the mobilization of firefighting personnel and equipment beyond the capability of any one party acting alone.
- E. Joint training programs among the firefighting agencies of all the parties has been determined to be essential to develop interagency coordination and efficiency, and to enhance firefighter and public safety.
- F. Cooperative purchasing programs among the member governments may reduce costs and improve efficiency of expenditure of public funds.
- G. Each party desires to enter into a Memorandum of Agreement to establish the Enchanted Circle Regional Fire Protection Association, for the purpose of providing cooperative fire suppression services, cooperative firefighter training programs, and cooperative purchasing of firefighting equipment and supplies.

THEREFORE, all parties mutually agree to establish, implement, and maintain a regional fire protection association to be known as "The Enchanted Circle Regional Fire Protection Association".

GENERAL PROVISIONS:

1. EACH PARTY SHALL:

- a. Appoint a delegate to represent the local government on the Enchanted Circle Regional Fire Protection Association.
- b. Pay an annual membership fee to the Association in an amount determined annually by the Association Board of Directors. Payment shall be due no later than September 30 of each year.

2. THE PARTIES, ACTING JOINTLY THROUGH THEIR DELEGATES, SHALL:

- a. Establish a Board of Directors of the Association, made up of the official delegates of each party.
- b. Elect annually from the membership of the Board of Directors a chairman, a Vice Chairman, and a Secretary for the Association, to serve one-year terms beginning July 1 of each year and ending June 30 of the following year.
- c. Develop and agree upon an Annual Operating Plan, which will establish procedures for multi-jurisdictional mobilization, organization, and utilization of firefighting resources.
- d. Annually review and, upon mutual agreement, modify the Operating Plan no later than September 30 of each year.
- e. Develop and implement an annual regional training program.
- f. Identify cooperative purchasing opportunities for the purpose of costs saving and standardization of equipment.

3. THE TOWN OF RED RIVER SHALL:

- a. Act as the fiscal agent for the association, and in such capacity shall receive, hold, and account for all Association funds.
- b. Expend funds on behalf of the association as directed by the Association Board of Directors in accordance with New Mexico Public Purchasing Law.

4. LIMITATIONS IN THE SCOPE OF THIS AGREEMENT:

This Agreement does not cover the use of each local government's firefighting resources operating within their home jurisdictions. Nor does it preclude the development of separate MOAs or mutual aid agreements by the individual parties for cooperative fire protection purposes within their own jurisdictions.

5. NON-REIMBURSEMENT FOR SERVICES:

When firefighting personnel and/or equipment are requested by any party to this agreement from any other party to this agreement, no reimbursement for services rendered will be required or expected.

6. LIABILITY FOR SERVICES:

A party to this Agreement shall not be responsible for liability incurred because of another party's acts or omissions in connection with the operation or implementation of this Agreement. Each party shall be solely responsible for the acts or omissions of its officers, employees, or agents, to the same extent and limits that such party is responsible under applicable law. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.

7. TERMINATION:

Any party to this agreement may terminate their participation in the agreement by providing written notice to all other parties at least sixty days prior to the intended date of withdrawal.

8. TERM:

This agreement shall not become effective until signed by all parties. This Agreement shall remain in full force and effect perpetually, unless terminated under the provisions of Paragraph 7 above.

9. RETURN OF FUNDS:

If at the termination and withdrawal from this Agreement by all parties, any funds held by the designated fiscal agent belonging to any of the other parties shall be returned in proportion to the parties' original contribution.

10. AMENDMENTS:

This Agreement shall not be altered, changed, or amended except by instrument in writing executed by all parties, provided however that nothing in this paragraph shall prevent modification of the Annual Operating Plan by agreement the Association's Board of Directors.

11. SCOPE OF AGREEMENT:

This Agreement and the Annual Operating Plan adopted in accordance with it shall incorporate all agreements and understandings between the parties concerning the subject matter hereof, and no other promises or understandings shall be binding unless embodied in this Agreement, the Annual Operating Plan, or the formally adopted amendments to either.

12. AGREEMENT LIMITED TO THE SIGNATORY PARTIES:

This agreement shall not be construed to inure to the benefit of parties not signatory hereto, and nothing in this Agreement shall be construed as affecting liability or any immunity to persons or entities not signatory hereto.

13. EQUAL OPPORTUNITY:

The extension of benefits under the provisions of this agreement shall be without discrimination as to race, color, creed, sex or national origin.

14. APPLICABLE LAW:

This agreement shall be governed by the laws of the State of New Mexico.

IN WITNESS HEREOF, the parties have executed this Agreement as of the _____ day of _____, 2023.

For the Town of Taos

By _____
Mayor

Attest:

For the Village of Taos Ski
Valley

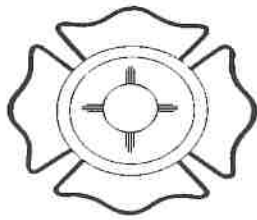
By _____
Mayor

Attest:

For the Village of Angel Fire

By _____
Mayor

Attest:



Enchanted Circle Regional Fire Protection Association

Meeting Minutes July 10th 2023

Call to Order

The meeting was called to order by Chairwoman Raynelle Cordova at 1802.

In attendance were, Chairwoman Raynelle Cordova, Vice-Chair Clayton Coss, Secretary James Hampton, Russ Driskell, Bonnie Driskell, Bruce Jasmin, Mike Cordova, Deke Willis, Scott Gibson, Craig Sime, Mickey Richardson, Jim DeCastro, Scott Freeman, Austin Martinez, and Jona Olsson.

Agenda Approved or Amended & Approved:

A motion was made by James Hampton to approve the agenda with an addition to training to include a discussion on dates for quarterly trainings as well as an addition to the trainings on lithium batteries. A second was made by Jona. All were in favor and the motion did pass.

Minutes Approved or Amended & Approved:

A motion to table the meeting minutes until next meeting was made by Bruce and seconded by Russ. All were in favor and the motion did pass.

Guests:

No guests were present.

Reports (Around the Screen):

Cerro FD: a lot of EMS calls. One body recovery out of the wild rivers area.

Carson FD: A lot of calls including car fires and a person shooting at first responders.

Rio Fernando FD: 2 calls for the month, both EMS calls.

Latir FD: 5 calls for the month. Car fire, and car vs elk that turned into a wildland fire.

Taos County Fire/EMS Dept.: Hoisted a Rope I class in Red River with 18 students, 16 of which were from the Enchanted Circle. Several small wildlands fires. None of which were larger than 0.5 acre.

Red River FD/Wheeler Peak FD: 42 calls for Red River, 7 for Wheeler Peak.

Moreno Valley FD: 3 calls for the month. One lighting strike.

Eagle Nest FD: Several EMS calls, one rescue near the falls. Several small wildland fires. The fire works went off without a hitch.

SBR FD: Several smoke reports and an MVC.

Questa: 52 EMS calls and 10 fire calls. Assisted Cerro with the recovery out of the Rio Grande.

Old Business:

A. Nominations and Elections of Officers-

- a. **Chair:** Raynelle Cordova was nominated by Bonnie and seconded by Jona, Raynelle did accept the nomination. All were in favor and the motion did pass.

- b. **Vice Chair:** Mike nominated Deke Wills and James seconded, Deke did accept the nomination and all were in favor and the motion did pass.
- c. **Secretary:** Mike nominated James Hampton, Deke seconded, James did accept the nomination. All were in favor and the motion did pass.

B. **Memorandum of Agreement revision-**

- a. **The addition of Dixon of the Agreement:** A discussion was had about adding Dixon FD to the agreement. It was agreed to add Rio Arriba County to the agreement as a whole in a effort to plan for the future.
- b. **Dues and Fiscal Agent:** A motion was made by Mike for the Town of Red River to act as the fiscal agent for the ECRFPA replacing the Town of Taos who has been the fiscal agent in the past. Clayton seconded. All were in favor and the motion did pass. A motion was made by Jona to increase the annual dues from \$150.00 to \$500.00 per department. A second was made by was made by Russ. All were in favor and the motion did pass.

New Business:

- a. **Lithium Ion battery-** Jona had been looking for a way to dispose of batteries and Taos County Solid waste is working on a recycling program that may include the batteries. Currently they will take them if that are not damaged and are sealed in a bag with the contacts covered.

Training:

- a. **Mini Academy-** There will be enough students for the academy. Raynelle will begin to get the command and general staff put together. The dates will be the 15th, 16th, and 17th of September.
- b. **EVD Class-** Taos County will be hoisting an EVD class on August 4th, 5th, and 6th. The class will be at the OEM building. People who want to sign up will need to sign up through the state.
- c. **Rope II –** Taos County will be hosting a Rope II August 28th though September 1st. This will be a state level class and people will need to have the Rope I to apply.
- d. **Quarterly Training-** A discussion was had and weekends are still the best for most people. A tentative date of August 19th was set for 0900 and will run until 1200. James will send out an announcement when the date gets set.
- e. **HAZMAT-** Taos County will be having an hybrid haz-mat training soon.
- f. **FF I-II-** Taos County will be putting on a FF I-II October through December. Dates will be announced later. Hazmat is a prerequisite.

Announcements:

- a. **Fire Marshals Grant-** Mike is able to discuss and assist anyone who needs help with the grants. Mike is also the Vice-Chair of the grant council this year. To be eligible for the grant you must be NFIRS compliant.
- b. **Rio Fernando Lunch-** Annual fundraiser on Sunday at noon. All are welcome.
- c. **ECRFPA Fire Risk Analysis-** The analysis is continuing to be a valuable tool. Bonnie reported that the ignition component has been very difficult to obtain each week. She will continue to look into this. She asked that people report fires to her so she can add them to the analysis.
- d. **State Wide Fire Restrictions-** James had an opportunity to discuss the issue of state-wide restrictions with our forester. It was passed along to her that we are not in support of state-wide restrictions as it undermines the ability of the local judications to make an informed decision.
- e. **Eagle Nest Ambulance-** Denise will be taking over the service soon from Eli.

Action Items:

- a. No actions items were identified.

Meeting Review:

All reported a good meeting.

Next Meeting:

The next meeting will be August 7th at 1800 at the Red River Fire Station.

Adjournment:

A motion was made to adjourn by James and seconded by Clayton. All were in favor and the motion did pass. The meeting was adjourned at 1915.